December 4, 1968

Mr. John T. Dunlop
Professor of Political Economy
Harvard University
Cambridge, Massachusetts

Dear Mr. Dunlop:

I was able to attend only the last day of the recent conference on Civil Rights and the Construction Industry held at the University of Kentucky. Consequently, I missed your speech. This is an area of special interest to me and I wonder if you will be able to share a copy of your remarks with me. It will be most appreciated.

Sincerely,

Emory F. Via, Director
Labor Program

EFV/km

December 4, 1968

Mr. Louis Sherman
Sherman & Dunn
1200 15th Street, N. W.
Washington, D. C. 20005

Dear Mr. Sherman:

I was unable to attend the full two days of the recent conference on Civil Rights and the Construction Industry held at the University of Kentucky. To my great regret I missed your presentation. This is an area of special interest to me and I would greatly appreciate your sending a copy of your remarks to me if this is possible.

Sincerely,

Emory F. Via, Director
Labor Program

EFV/km

December 4, 1968

Mr. D. Harold Flannery
Deputy Chief
Central Section
Civil Rights Division
Department of Justice
Washington, D. C.

Dear Mr. Flannery:

I was able to attend only the last day of the recent conference on Civil Rights and the Construction Industry held at the University of Kentucky. Consequently, I missed your speech. This is an area of special interest to me and I wonder if you will be able to share a copy of your remarks with me. It will be most appreciated.

Sincerely,

Emory F. Via, Director
Labor Program

EFV/km

December 4, 1968

Mr. James J. Reynolds
Under-Secretary of Labor
Department of Labor
Washington, D. C.

Dear Mr. Reynolds:

I was able to attend only the last day of the recent conference on Civil Rights and the Construction Industry held at the University of Kentucky. Consequently, I missed your speech. This is an area of special interest to me and I wonder if you will be able to share a copy of your remarks with me. It will be most appreciated.

Sincerely,

Emory F. Via, Director
Labor Program

EFV/km

HARVARD UNIVERSITY

JOHN T. DUNLOP
David A. Wells Professor of Political Economy

226 LITTAUER CENTER
CAMBRIDGE, MASSACHUSETTS 02138

December 9, 1968

Mr. Emory F. Via
Director
Labor Program
Southern Regional Council, Inc.
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

Dear Mr. Via:

Thank you for your letter of December 4. I am sorry that I did not speak from a prepared text so I cannot forward a copy to you.

Very truly yours,

John T. Dunlop/jp

John T. Dunlop

JTD/jp

THE UNDER SECRETARY OF LABOR
WASHINGTON

December 9, 1968

Mr. Emory F. Via, Director
Labor Program
Southern Regional Council, Inc.
5 Forsyth Street, N. W.
Atlanta, Georgia 30303

Dear Mr. Via:

In accordance with the request contained in your letter of December 4th, I enclose herewith a copy of my remarks at the recent conference on equal opportunity in the construction industry held at the University of Kentucky.

With every good wish, I am,

Very truly yours,

James J. Reynolds
Under Secretary of Labor

Enclosure

LAW OFFICES
SHERMAN AND DUNN
1200 FIFTEENTH STREET, N. W.
SUITE 500
WASHINGTON, D. C. 20005

LOUIS SHERMAN
THOMAS X. DUNN
LAURENCE J. COHEN
ELIHU I. LEIFER

667-9300

December 18, 1968

Mr. Emory F. Via
Director, Labor Program
Southern Regional Council, Inc.
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

Dear Mr. Via:

Upon my return to Washington I found your letter of December 4, 1968, concerning the recent conference on Civil Rights and the Construction Industry held at the University of Kentucky.

I regret to advise that I did not have a formal text when I addressed the conference. I spoke from notes. I do understand, however, that the proceedings were taped, and I am, therefore, making inquiry to ascertain whether my information is correct and, if so, whether a transcript can be secured.

If the answers are in the affirmative, I shall try to respond in this way to your request for a copy of my remarks.

Best wishes.

Sincerely yours,

SHERMAN AND DUNN

By Lou Sherman
Louis Sherman

Royal Knights

(possible
Contractor)

Bruce Hooker was in group

Mr. Lincoln Jones —

Contractor

4480 Sims Rd,

Rt 1

Ellenwood, Ga

30049

Also Sewer Equity Hrs

~~Apartments~~ Duplexes

Near County line

$77 Unit

Renting $60/mos.

FHA financing

Black —

Winnie knows him —

he donated land for County line

Advisory (?)

Prospective Board Members, Royal Knights Foundation
Housing Project

Mr. John Helms helped on legal matters of Foundation
Attorney
C & S National Bank Bldg.
Atlanta, Georgia
521-1900

Mr. Jerry T. Hinson Senior
Attorney
First National Bank Bldg.
Atlanta, Georgia
524-7764

Mr. J. Erskine Love
President
Printpack, Inc.
4335 Wendell Dr., N. W.
Atlanta, Georgia
691-5830

Mr. Cecil Conlee Development - financing
Cousins Properties
148 Cain, N. E.
Atlanta, Georgia
432-3211

Mr. James McGovern Interested in R-K
Atlanta Crime Commission
52 Fairlie Street, N. W.
Atlanta, Georgia
524-3869

Dean Robert Vowels Student — Mgt. (Bookkeeping)
School of Business Administration
Atlanta University
223 Chestnut St., S. W.
Atlanta, Georgia
523-6431

Mr. Art Campbell
Southern Regional Council
5 Forsyth Street, N. W.
Atlanta, Georgia
522-8764

Mr. Emory Via
Southern Regional Council
5 Forsyth Street, N. W.
Atlanta, Georgia
522-8764

Mrs. Isabel Webster Legal
Attorney
9½ Ashby Street, N. W.
Atlanta, Georgia
524-3856

Mr. Peter White Worldwide R-K in past
Southern Council on
International and Public Affairs
3400 Peachtree Road, N. E.
Atlanta, Georgia
261-5763

Mr. R. H. Thompson — Arch. & Bldg.
Thompson & Hancock
Architects — schools & Rs.
3166 Maple Drive, N. E.
Atlanta, Georgia
237-1546

Mr. Al Warrington CPA
Arthur Anderson & Co.
Trust Company of Georgia Bldg.
Atlanta, Georgia
688-5838

Mr. King Grant, Jr. financing
Southern Discount Co.
919 W. Peachtree, N. E.
Atlanta, Georgia
876-3739

Developer (?)

Randy Blackwell — aka "brick" —

Interested Parties, Royal Knights Foundation Housing Project

Mr. Paul Muldawer (Volunteer)
Muldawer and Patterson
Architects
950 Peachtree St., N. E.
Atlanta, Georgia

Mr. William Van Landingham (worked Savannah project)
Vice President
C & S National Bank
Atlanta, Georgia

Mr. Robert Clayton
Vice President
C & S National Bank
Atlanta, Georgia

Mr. Horace Sibley
King & Spalding
Attorneys
Trust Company of Georgia Building
Atlanta, Georgia

Mr. Reese Cleghorn
Southern Regional Council
5 Forsyth Street, N. W.
Atlanta, Georgia

[redacted] Mr. Carl Ware (Volunteer)
Urban East Housing Consultants
900 Peachtree, N. E.
Atlanta, Georgia

Mr. Joe Robinson, Architect
255 Hopkins Street, S. W.
Atlanta, Georgia 30314

Green Contractors
Troy on 2-3 commercial housing

5 Royal Knights
Albert Spearman
John Brown

Mary Brown (John's wife)

A LOW-COST HOUSING PROGRAM FOR THE ROYAL KNIGHTS FOUNDATION

About the Royal Knights:

The Royal Knights Foundation, of which John W. Brown is president, is a small organization of young Negro men who have worked in the Vine City area for about three years, fostering and managing recreational, tutorial, employment and other programs. The Royal Knights members are mostly in their thirties. They do not live in Vine City, though some previously did. Their interest is in helping people less fortunate than themselves. They have received help from various quarters and have had grants from time to time from such sources as the Office of Economic Opportunity and Trinity Presbyterian Church and assistance from the Atlanta Crime Commission and the Southern Council on International and Public Affairs.

The Royal Knights now has undertaken a low-cost housing program. In connection with this, a board of friends of the Royal Knights is being established which will be, in effect, a building and planning committee for the housing development.

About the Program:

Under the federal "turnkey" public housing program, private organizations propose particular housing developments; have the plans accepted by the local housing authority (in this case, the Atlanta Housing Authority); construct the project; and sell it then to the housing authority, which subsequently operates it.

Under the particular section of the "turnkey" housing program which the Royal Knights are interested in, the units built would be rented to occupants for perhaps $80 or $85 a month under a rental-purchase arrangement. Most probably would be three-bedroom units. Thus, the units would not be the "lowest of the low" in low-cost housing. But they would be relatively low and would help meet the current shortage of low-cost housing in Atlanta, to which Mayor Ivan Allen has addressed much of his attention during the past two years.

Further, under the "turnkey" arrangement the Royal Knights would stand to make a profit on each unit when it sells to the Atlanta Housing Authority. This profit would become seed money for further economic development of benefit to residents of ghetto areas of the city. For instance, the seed money might capitalize further such housing developments, or it might finance small business starts in the vicinity of the first housing.

Thus, what is proposed is not simply a low-cost housing development but a community development program. So far, no such program has proceeded in Atlanta, and whatever comes of this one might be a model for this city and for others.

Flexible in what it will require

Bank — would have to be some of developer to
get out of equity proportion

intention to put up all of money —

Will AHA require a special kind of developer

Royal Knights — 5 members

What possibility of getting supplementary money —
if demonstrate

Code —
AHA — developer

About the Particular Project:

The Royal Knights and the Citizens & Southern National Bank, have purchased two and a half acres near Westview Cemetery. The bank has provided an opportunity for the Royal Knights to begin capitalizing the project with the proceeds from sale of a house which the bank has given to the Royal Knights. With perhaps $10,000 thus gained as a starter, the Royal Knights would obtain a like amount from the C & S in the form of a loan. Some of this basic fund would be used to pay the salary of John Brown as full-time director of the project being undertaken.

Mr. Brown has satisfactorily worked out some of the details of this arrangement with Mr. Bob Clayton and Mr. Bill Van Landingham, both of whom are working on community development affairs for C & S.

Professional assistance has been provided by Paul Muldawer, of Muldawer and Patterson, architects, and by Urban East, a planning and development firm which has worked successfully in similar projects elsewhere. These experts have provided their time on a voluntary basis. Further work probably would necessitate contractual arrangement.

On the ground which has been purchased, it is anticipated that 22 units would be built. The current plan is that residents of Vine City would have first choice on occupancy, and that Vine City people will be engaged to the extent possible in the construction. Thus a subsidiary benefit from the project might be the training of untrained people for certain kinds of construction work. Further, there are possibilities for innovation in the construction which might test new methods in reducing the cost of such housing. Mr. Muldawer has explored some of these possibilities and believes this project could have pioneering value for Atlanta.

About the Board:

The board being established to work with the Royal Knights on this project would be a working board of less than a dozen members, perhaps meeting once a month, or as often as the members deem necessary. It would be structured so that its members would bring to it a variety of specialized knowledge applicable to this kind of undertaking.

About the Potential Value of This Undertaking:

It could show the way for Atlanta and perhaps for other cities through its demonstration of: (1) innovative approaches to the production of lower-cost housing; (2) new understanding of how ghetto dwellers may be brought into construction projects serving them; (3) ways in which a community organization such as the Royal Knights may work with a church, a bank, and business and professional people from outside the poverty area to solve some of the problems of the area. The provision of 22 new units of occupant-owned housing would be in itself, of course, a significant social contribution at this time in Atlanta.

22 Units into Shopping Center into 1000 acre "total" Community — integrated —

Housing — low cost
Contractors
Employment

12
11,000
12,000
12,000 house
13,200 - land
21,000

Housing Resources Committee — report with Bld Inspection Dept
Perhaps plastic plumbing & other code variations will be allowed

Stack-Sack — Dickerson
Some permit & FHA problems — EV where?
Paul W. thinks greatest problem is community acceptance
One under construction in Dalton

Trinity Ch. major contributor to Royal Knights projects in past (financial)
C&S now financial partner in initial undertaking —
Land now purchased — C&S Community Develop Corp & Royal Knights
joint owners — C&S put up 50% & loaned RK
Eastern boundary of Westview

C&S
Not necessarily committed to "turnkey" method of turnover — could be sold to individuals

Unclear
would support market rate interest return
C&S & R.K. partners — Brown says no — C&S to check, but not decided
How much money put up for Property — $24T cost of land (12 + 12)
Tenants in Common
Relation between R.K, Bd, C&S

Turnkey — Atl. Housing Authority approval on location, number, costs —
Proposed 3BR - 1100 sq ft. fees have $12/sq ft — number $9.25/sq ft.
add land, interest

FHA 235 ownership, individual pays 25% of income

7-20-1969

MEMO FROM THE DESK OF:

Reese Cleghorn

Royal Knights

First 'Turnkey' Families Move In Here

By JOSEPH P. FRIED

For 66 low-income families, a new six-story apartment building in East Harlem is providing highly welcome living quarters that are in sharp contrast to the deteriorated slum apartments that the families previously occupied.

For city housing officials and for the two large corporations that sponsored the structure, the brown-and-red-brick building represents what they hope to be able to look back upon someday as a milestone in the battle to overcome the city's housing crisis.

The building is the first to be completed here under the so-called "turnkey" approach to erecting low-income public housing, a procedure under which a local housing authority purchases a housing development put up by a private builder.

The turnkey method is advocated in many quarters as superior to construction of developments by housing authorities themselves — the most common method of building public housing in the United States—because private builders, unhampered by many bureaucratic restrictions, can usually get the job done faster.

With construction and financing costs steadily rising, putting housing up more rapidly often means putting it up more cheaply as well.

The East Harlem structure, at First Avenue and 111th Street, was built under what Albert A. Walsh, the chairman of the City Housing Authority, has called "an experimental variation on the turnkey method."

Instead of contracting in advance of construction to buy the completed building —the normal type of turnkey arrangement—the Housing Authority merely entered into a "gentleman's agreement," not legally binding, to purchase the finished building provided that, upon completion, it met the authority's construction and price requirements.

For the developer — Construction for Progress, Inc., an organization formed by the Celanese Corporation and American Standard, Inc.— the handshake agreement meant that the job was being undertaken on speculation. There was always the possibility that the Housing Authority would not buy the completed structure, or that it would buy it at a price that would not permit what the companies considered a reasonable return on their investment.

*

The latter outcome would not have permitted the project to be considered a success. For the purpose of the undertaking, according to Leonard G. Sucsy, vice president and general manager of Construction for Progress, was to "demonstrate that private enterprise can apply its financial and managerial resources to help solve the slum housing problem and at the same time provide a reasonable return to its shareholders."

As far as Construction for Progress is concerned, the East Harlem undertaking proved precisely that—so convincingly, in fact, that the organization has begun construction of three more public housing structures under the same gentleman's agreement with the Housing Authority, and has entered into various planning and site-selection stages on four additional projects. The seven projects would contain a total of more than 700 apartments.

For its part, the Housing Authority is also highly satisfied with the East Harlem venture.

"We think we got a favorable price, and the building was put up much faster than we could have put up a building of the same size on the same kind of site," Grace Bliss, assistant to Mr. Walsh, the authority chairman, explained last week.

*

The Housing Authority paid $1.2-million for the structure, and it assumed additional administrative and appraisal costs of $56,000 in connection with the purchase.

The $1.2-million price represented a return to the developers of between 3 and 4 per cent before taxes when measured against the construction cost of about $1-million and the developer's added cost for site acquisition and architectural, financing and other expenses, Mr. Sucsy said.

Eighty per cent of the construction cost was financed with a loan from the Chase Manhattan Bank at 8 per cent annual interest, plus a one-and-a-half-point service charge, bringing the effective cost of the loan up to 9½ per cent.

Regarding the construction time, Miss Bliss noted that slightly over 12 months had elapsed from the time Construction for Progress proposed an acceptable site to the time it had the building up and ready for occupancy two months ago.

Miss Bliss estimated that if the Housing Authority itself had put up a similar building on the same site under its usual procedures, the job would have taken about 30 months, or two and a half times as long, because of required approval and contract bidding methods.

Had the same job been done under the more usual turnkey procedure — that is, with a binding contract rather than a handshake agreement to buy the fin-

Joseph P. Fried - The New York Times
Sunday, July 20, 1969

'Turnkey' Housing Opened in E. Harlem

Continued From Page 1

ished product — it would have taken 21 to 24 months, or nearly twice as long as under the gentleman's agreement, she said.

The reason is that even under the more common turnkey procedure, a fair amount of approval and evaluation by public officials is required before a local housing authority can enter a binding contract to buy a project upon its completion by a private builder.

While the intricacies of construction timetables and financing were major concerns of the builders and the Housing Authority, apartment sizes and rents were uppermost in the minds of the tenants.

*

The rents average about $18 a room a month and the 66 apartments comprise 17 three-room efficiencies, all reserved for the elderly; 22 one-bedroom apartments, 15 two-bedroom, six three-bedroom and six four-bedroom units. The efficiencies rent for between $49 and $57 a month while, at the higher end of the rent scale, the four-bedroom units, each having a total of six and a half rooms, rent for between $88 and $90 each.

A community group was formed to aid in recommending tenants for the building, Mr. Sucsy said, and the Architects Renewal Committee in Harlem acted as design consultants to the architects, Wechsler & Schimenti. The Valridge Construction Company was the contractor.

Columbia University's Division of Urban Planning provided guidance on the project and on establishment of the joint construction venture by Celanese, a diversified chemical company, and American Standard, which produces a wide line of building and industrial products.

Within a few weeks, the Housing Authority expects a second low-income apartment building to be ready for final purchase consideration after construction under the same kind of gentleman's agreement that resulted in the 111th Street building.

The second structure, whose 48 apartments are nearing completion on 123d Street between Park and Lexington Avenues, was built by a joint development corporation formed by the Bowery Savings Bank and the New York Bank for Savings.

*

The banks had claimed that their 123d Street building, for which ground was broken last July, would be "New York City's first privately built, low-income public housing project." However, the 111th Street structure was completed first.

Also being considered for Housing Authority purchase is a 380-apartment development that a builder is planning at Cassidy Place and Lafayette Avenue along the north shore of Staten Island.

*

Although increased use of turnkey arrangements has been championed by many—including several Government commissions — as an effective way to provide desperately needed low-income housing, there has also been criticism of the turnkey philosophy.

Jane Benedict, chairman of the Metropolitan Council on Housing, a tenant-oriented group that has been vocal in demanding speeded-up construction procedures for public housing, contended last week that removing restrictions that hamper quick construction by public agencies was preferable to increasing the role of private corporations in creating public housing.

Royal Knights ~~Model Cities~~

STATEMENT OF POLICY

ON

EQUAL EMPLOYMENT OPPORTUNITY

ADOPTED BY THE

55TH CONVENTION

OF THE

BUILDING AND CONSTRUCTION TRADES DEPARTMENT (AFL-CIO)

SEPTEMBER 22, 1969

AT

ATLANTIC CITY, NEW JERSEY

Statement of Policy of the Building and Construction Trades Department (AFL-CIO) on Equal Employment Opportunity

In these times of heated and emotional controversy over the issue of Negro employment in the building and construction industry, which is carried on under the barely concealed threat of violence, The Building and Construction Trades Department deems it appropriate to present a factual review of the union side of the controversy. Fair minded people in and out of the labor movement will want to hear both sides before forming any judgments.

The Building and Construction Trades Department and its affiliates have not contented themselves with so-called passive non-discrimination programs. Whether or not legally required, the Department and its affiliates have undertaken affirmative action to increase Negro employment in the building and construction trades. At its 1967 Convention, the Building and Construction Trades Department adopted a resolution stating that it "endorses generally the principle of affirmative action to assist Negroes and other minority group persons in finding suitable employment and improving their economic and social status." In a later communication from the President of the Department to the Secretary of Labor, the Department proposed to implement the resolution, among other things, by fostering "with the cooperation of appropriate management organizations programs of recruitment of qualified applicants for apprenticeship from the Negro population and other minority groups."

The Kerner Commission (The National Advisory Commission on Civil Disorders) commended the Department for its action in this regard and recommended that this commitment be intensified and implemented (at page 25).

We believe this recommendation has been heeded. The Apprenticeship Outreach Programs

recorded a six month high of 1,537 minority youths accepted as apprentices in the skilled trades from January 1 to June 30, 1969. The total number accepted as apprentices through Outreach since the commencement of the Federally funded program in 1967 is 3,862. Ninety-three percent of the total number were indentured in the building and construction trades although these trades represent 56% of the total registered apprentices in all industries. To get 3,862 apprentices indentured, Apprenticeship Outreach sponsors recruited 27,494 interested candidates.

Citing the six-month achievement, Secretary of Labor Shultz said: "This is but one example of what can be done in attacking a manpower problem, if we study the problem together, devise a workable plan to resolve it, *establish attainable goals,* and stick to timetables."

Apprenticeship Outreach Programs operate with the cooperation or direct sponsorship of local Building and Construction Trades Councils in more than fifty cities. Among these cities are: Atlanta, Dallas, Knoxville, Miami, San Antonio, Jacksonville, Nashville and Tampa. As of April 1969, Federal funds budgeted for the Outreach Programs amounted to $3,885,287.

To gain an understanding of the Apprenticeship Outreach Programs, it is necessary to turn back to 1963 when it was thought that removal of the race bar and the provision of equal competitive conditions would result in a significant increase in Negro and other minority participation in the apprenticeable trades. The Regulations of the Department of Labor on nondiscrimination in apprenticeship and training provided, among other things, for the proper dissemination of full information about the availability of apprenticeship opportunities, the posting of such information at the normal place of application for apprenticeship, and dissemination of such information to the local employment service and the local schools. It was found, however, that minority group youngsters were not applying for existing apprenticeship programs for a variety of reasons, including the fact that high school counselors seldom advised youngsters to enter what was generally considered a blue collar field. Apprenticeship Information Centers (now operating in thirty-five cities) were established to provide all available information on apprenticeship opportunities in

the community in which the particular Center operates and give all necessary support and assistance to young people who wish to become apprentices in the skilled trades. Although the Department of Labor claims that nearly 1,600 minority applicants were indentured during the fiscal year ending June 30, 1969, through the Apprenticeship Information Centers, it appears that many of these persons were also processed through the Apprenticeship Outreach Programs.

Apparently, the provision of information and other assistance through Apprenticeship Information Centers was not sufficient. More intensive effort was required by paid personnel to recruit, train and place minority youth. The pilot Outreach programs in this regard were established by the Workers Defense League—A. Philip Randolph Education Fund in cooperation with the building and construction trades. Most of the WDL apprenticeship candidates came from academic high schools. WDL staff found early that the vocational high schools produced youngsters less able to compete in this job market. They also recognized the need for intensive tutoring before the examination. The tutoring concentrates on mathematics and reading comprehension. Tutorial programs frequently require six to twelve weeks. WDL staff members frequently provide transportation from home to union hall for the applicants checking on why they may have missed a tutoring class and counseling them on personal problems. Practice interviews are held and when birth certificates, high school diplomas, and health records are needed, WDL staff help applicants to secure them. It is apparent that these and other services provided by substantial Federal funds and the cooperative efforts of the Building and Construction Trades Councils together with the Urban League, the Workers Defense League and other organizations constitute affirmative action to satisfy a significant social need.

Some idea of the overall improvement of the racial situation with respect to apprentices is provided by comparing the statistics of 1960 and 1968. The 1960 census statistics show that nonwhites made up 2.5% of the total 85,682 apprentices in the United States. In the first half of 1968 of the 26,156 apprentices newly enrolled, approximately 9.4% came from minority groups.

The following statistics show that the construction industry compares favorably with

manufacturing industry insofar as ethnic ratios are concerned:

Apprentices in Federally Serviced Workload as of December 31, 1968

	No. Active	% Minority	% Negro
Construction Industry	**91,177**	**7.2**	**4.0**
Metal Mfg. Industry	**39,686**	**4.3**	**3.0**
Mfg. Non-Metal	**10,747**	**5.3**	**3.2**

The building and construction trades have not limited their efforts to apprenticeship. They have developed plans and procedures for bringing into the industry older minority workers. In July 1968, after an unsuccessful effort to secure an agreement with employer trade associations for the employment of area residents under the Model Cities Program, the General Presidents of the seventeen National and International Unions affiliated with the Building and Construction Trades Department adopted their own policy statement and guidelines on this subject. The General Presidents' program covered three groups: (a) those fully qualified to be laborers or mechanics; (b) those with appreciable construction work experience but not qualified to be mechanics or laborers; and (c) those with little or no construction work experience.

It was recommended that "the agreement provide for additional instruction and basic education for such residents of the area who may benefit from such instruction under Government or industry financed programs. These programs, for a period of time, may result in the work week for such employees being divided between on-site work and specified classroom instruction."

Four experimental programs for the upgrading of journeymen have been initiated in Oakland, California; Buffalo, New York; Boston, Massachusetts; and St. Louis, Missouri. The goals of these programs in the four cities involve the training of 365 minority workers. The Federal budget for the four programs totals $968,-634. Negotiations are under way for other programs in twelve of the fifty-two cities involved in the Outreach programs. These programs present many complex problems and are obviously in a trial and error stage.

The record of effort and concrete results, including the allocation and expenditure of mil-

lions of Federal dollars, does not justify the attempt to cast the building and construction trades unions in the roles of scapegoat or whipping boy for all the current ills on the racial scene. The detractors of the building and construction trades unions—the sneerers and the scoffers—use a statistical device to accomplish their end. They elbow aside substantial overall ratios of Negro employment in the building and construction trades by saying, "Oh, that's the laborers." They elbow aside substantial ratios of Negro employment in highly paid occupations in the building and construction trades by saying, "Oh, that's the trowel trades." They confine public attention to trades such as the mechanical trades where lesser ratios of Negro participation may be attributable to higher educational requirements and other cultural factors not related to employment discrimination. They then seek to use these lesser ratios of Negro participation in particular trades as proof that the industry is "lily white."

Even Government officers have fallen for this tactic. The Assistant Secretary of Labor in charge of the Office of Federal Contract Compliance issued the Philadelphia Revised Plan, establishing a quota system, without consultation or hearing on the basis of a figure of 1.6% minority group membership in seven so-called "critical trades." The Plan was ruled illegal by the Comptroller General of the United States on August 5, 1969. It became the subject of a hearing on August 27, 1969, for the purpose of determining so-called rate ranges. At this hearing representatives of the Building and Construction Trades Council of Philadelphia testified that more than 30% of the members employed on unionized jobs within its jurisdiction are black. It was also testified that the following high paying trades had locals with substantial Negro membership: Boilermakers—20%, Carpenters—20%, Cement Masons—37%, Lathers—20%, Operating Engineers—10%, Painters—10%, and Reinforced Rod Setters—30%.

Even with the deduction of the laborers (who received hourly wages and fringe benefits ranging from $4.25 to $4.65 per hour or from $170 to $186 for a 40-hour workweek) from the calculation, the ratio of black participation among the remaining crafts was 12%. It may be noted that even the accuracy of the figure with respect to the "critical trades" was vigorously disputed by

the Philadelphia Building and Construction Trades Council.

It is interesting to observe the effect of the application of this technique of selecting arithmetic ratios in particular occupational brackets in other industries. At hearings before the United States Equal Employment Opportunity Commission in New York City, January 1968, the executives of a prominent and highly regarded newspaper testified they had three Negro reporters out of a total of 200; and one Negro out of 220 officials and managers. When asked for an explanation about the lack of equitable representation of Negroes among its reporters, the newspaper executive testified as follows:

> "I do not think there is—at the journeymen level, there is not a large number of people to come in and start off as staff members who have the qualifications in large numbers to start therein."

When advised that the Commission was not talking about "very large numbers," the executive testified "we're not very happy with two." These hearings disclosed that the situation described is not confined to this New York newspaper. A National Associated Press survey of 300 daily newspapers, October 24, 1967, revealed that 119 Negro reporters and no Negro editors were employed by those newspapers. The 1967 EEOC research report on communications industry in New York City shows the following:

	% Negro officials and managers	% Negro professionals
Radio-TV	**0.9**	**1.9**
Periodical publishing	**0.7**	**1.0**
Newspaper publishing	**less than 0.1**	**1.2**

The same unwarranted accusation which has been made against the building and construction trades is now being leveled against the United States Government in a major lawsuit against every member of the Cabinet which has been filed by Julius Hobson (who initiated the important landmark school case resulting in the Skelly Wright decision). It is alleged that, although the Negro ratio of Federal employees is 14% on an overall basis (roughly equivalent to the 14% ratio of blacks in the population), the ratio of black employees in Grades 13 and above is only 1.5%. On the basis of this allegation and other recitals in the complaint, the plaintiffs are

asking the Federal court in the District of Columbia to direct the defendants to adopt necessary procedures to achieve "equitable" representation in *every unit* of the Federal departments or agencies containing fifty or more persons in regard to composition by race. The departments or agencies will be allowed to vary from this standard in those areas in which the department or agency can demonstrate that the population percentage of plaintiff's classes is lower than the national average. The "equitable" representation requirement applies to all classification grade and step increase levels.

The statistical pattern of concentration of Negro employment in lower grade jobs and the declining ratio of such participation in higher grade positions is typical of many industries other than communications and Government.

The Building and Construction Trades Department is of the considered view that the failure of the communications industry and the Government to maintain an objective attitude is inflammatory and prejudicial to the sound and proper solution of the racial issue in the building and construction industry and other segments of American life. We support the right of the Negro to justice. But we cannot accept the simplistic idea that the arithmetic of a population ratio shall become the standard for selection and entry into employment in the building and construction industry.

We favor the acceleration and extension of the Apprenticeship Outreach Programs which have proved successful in actual operation.

We make the flat and unqualified recommendation to local unions throughout the United States that for a stated period of time they should invite the application of qualified minority journeymen for membership in their respective local unions and should accept all such qualified minority journeymen provided they meet the ordinary and equally administered requirements for membership.

We also recommend that the local unions and the local council explore and vigorously pursue training programs for the upgrading of minority workers who are not of apprenticeable age. Such programs should be developed in such manner as to prevent undercutting the established apprenticeship programs. The recommendations which have been previously made on Model Cities should furnish an appropriate guideline for

development of these journeymen training programs.

In carrying forward these programs to make effective the rights of Negroes and other minority workers, it must also be recognized that there is a correlative right in the existing members of the organized work force regardless of their color or race. Many of them have fought during their working lives to preserve and advance their unions against the attack of strong anti-labor forces. They have organized in the teeth of the anti-labor provisions of the Taft-Hartley and Landrum-Griffin Acts. They have endured strikes and the picket line to preserve their wage standards. They have played a large part in creating the favorable labor standards of the present time and deserve to have their status in the industry protected and not to lose their rightful share of employment opportunities.

We are convinced that the goal of increasing Negro and other minority worker participation in the building and construction trades can be accomplished with due regard to the rights of the existing organized work force. We think such an approach is preferable to unthinking actions which tend to pit one part of the population against the other.

We also wish to make it clear that we do not favor acceptance of unreasonable demands. The mere assertion of a proposal by a minority group does not necessarily mean that it is in the interest of the black worker, other workers, or the industry.

For example, a militant group involved in a current dispute with the building and construction trades in Pittsburgh has proposed that "There shall be forty percent (40%) black membership in each of the several craft unions to be gained over the next two years" and "No training program in pursuit of [this objective] will exceed eight (8) months in length, irrespective of the craft."

The extravagance of the percentage is self evident. It should also be obvious that a stroke of the pen will not transform the learning process so as to graduate a qualified, skilled craftsman in 8 months when the existing system of apprenticeship has required 4 years. This proposal and others like it compare with the current efforts to establish special curriculums for minority college students. There have been strong expressions from responsible sources that such

educational proposals cheat the black student because they will fit him for a "sheltered work shop occupation" rather than competition in the open market. It has been our approach through the Apprenticeship Outreach Program and the experimental development of journeymen training programs to raise less qualified applicants to meet industry standards rather than to lower the standards to meet the lack of qualifications. We do not believe that it is in the interest of the nation, the industry, or the black worker to take "the easy way."

We shall also continue to oppose unsound or unlawful Government measures. The Building and Construction Trades Department objected vigorously to the original "Philadelphia Plan" which was abandoned by the Government after the Comptroller General of the United States ruled it illegal. The Department takes equally strong objection to the "Philadelphia Revised Plan" which is a quota system no matter how it may be dressed up in legal verbiage. We are unalterably opposed to the quota system. The Comptroller General, who certainly cannot be accused of partiality to the Building and Construction Trades unions, has ruled that the "Philadelphia Revised Plan" is also illegal. His basic position is that the "Philadelphia Revised Plan" violates the provisions of the Civil Rights Act of 1964 which provide that nothing in the law shall be authorized to grant preferential treatment to any group because of racial imbalance. He has also stated that: . . . "we believe there is a material difference between the situation in those cases, where enforcement of the rights of the minority individuals to vote or to have unsegregated educational or housing facilities does not deprive any member of a majority group of his rights, and the situation in the employment field, where the hiring of a minority worker, as one of a group whose number is limited by the employer's needs, in preference to one of the majority group precludes the employment of the latter. In other words, in those cases there is present no element of reverse discrimination, but only the correction of the illegal denial of minority rights, leaving the majority in the full exercise and employment of their corresponding rights."

It would have been better, in our judgment, if the hearing on the "Philadelphia Revised Plan" had been held before, rather than after,

the Plan was adopted. We trust that the deliberative and consultative procedures of the Government in similar matters will not be abandoned because of activist pressures or the desire for hasty or untimely action.

Raynel Knight

John Brown's Project Meeting -- School of Business Administration
Atlanta University -- October 16, 1969

Name	Address	Telephone
Mr. John W. Brown	690 Magnolia Street, N.W. Atlanta, Georgia 30314	524-7312
Mr. Art Burks	C&S Community Development Corporation Marietta at Broad Atlanta, Georgia 30303	588-3675
Mr. C. Bron Cleveland	Bron Cleveland Associates 141 The Prado, N.E. Atlanta, Georgia 30309	872-6946
Mr. Edward Couch	60 Haynes Street Atlanta, Georgia 30313	525-1233
Mr. Lowell J. Dickerson	673 Capitol Avenue, S.W. Atlanta, Georgia 30315	525-5522
Mr. F. P. Douglas	2320 Mark Trail Decatur, Georgia 30032	241-7493
Mr. James Green	628 Thurmond Street, N.W. Atlanta, Georgia 30314	688-6123
Mr. James Johnson	588 Paines Avenue, N.W. Atlanta, Georgia 30318	622-0953
Mr. Jerome Lewis	3606 Ingerdale Drive Atlanta, Georgia 30331	349-0399
Mr. Paul Muldawer	Muldawer & Patterson 900 Peachtree Street, N.E. Atlanta, Georgia 30309	872-1427
Mr. Bill VanLandingham Vice President	C&S Bank Marietta at Broad Atlanta, Georgia 30303	588-3150
Mr. Emory F. Via	Southern Regional Council 5 Forsyth Street, N.W. Atlanta, Georgia 30303	522-8764

Streets now serve 5 lots

Could lean on these houses
Test Ka- etc.

What money for Wave, Paul, other expenses -

Turnkey 3 - or FHA 235 -
L paperwork - NYC "handshake" Turnkey
L good faith agreement -
no paperwork -
Better budgets to work with -
$20T statutory limit -
Prevailing wages? (

loan $12T
advance loan for operation -

CDC

John Brown's Project Meeting, continued

Name	Address	Telephone
Dr. Robert C. Vowels Dean	School of Business Administration Atlanta University Atlanta, Georgia 30314	523-6431 Ext. 216
Mr. Clifford Walker	60 Haynes Street Atlanta, Georgia 30313	523-2025
Mr. Carl Ware	Urban East 900 Peachtree Street, N.E. Atlanta, Georgia 30309	875-0781
Mr. Herman W. Webb	#4 Flowers Drive Douglasville, Georgia	942-4244

12/8/69 Royal Knights

CDC (CRS) will help only if joint venture —
profits go back to CDC for further loans etc — not profit making
$1M written off as loss — to set up corporation —
FDIC stipulates not to come back into bank
└ Bank owns CDC
Can only put 2% of
bank capital —

Purpose of the Bd — (J.B says)
Help for Guidance: Bldg, training,

Advisory Com — just for housing? or jobs, recreation,
Separate books —

How much responsibility federation —

Royal Knights have an official Bd (not still active)
Rev Cl., Harvey Sibley, Harvey Wood, Mc Gavern et al

John B has a loan from bank(?)
Some other Knights would like to leave Fond —

Drenbeck or Turnbey — ~~given~~ AHA gives preference to want ad list
and not to Vine city residents —

Brauer thinks Wood can be especially helpful — Should he be hired —
└ would come from
profits, not as a

AHA — provide approval, nature of Bd
Only way to get low cost —

Muldauer (hourly rate for time) — Contract is with Joe Robinson —

Trinity Presbyterian Church
Howell Mill and Moores Mill Road
Atlanta, Georgia 30327

November 18, 1969

Mr. Emory Via
Southern Regional Council
5 Forsyth Street, N. W.
Atlanta, Georgia

Dear Emory:

I have been asked by John W. Brown of the Royal Knights Foundation to convene a meeting of a group of persons who have expressed interest in a low cost housing program (see enclosed description sheet). You have indicated a desire to be further informed about this and to possibly serve on a steering committee for this project.

We will meet on Tuesday evening, November 25, 8 P.M. at the Trinity Presbyterian Church, 3003 Howell Mill Road NW (Corner of Howell Mill and Moores Mill Roads). The meeting will be held in the church parlor which is located through the main sanctuary front doors and to the right. I hope that you will be able to attend and that, being briefed on the particulars of this project, you will agree to serve on the steering committee.

Most sincerely,

Allison Williams

Allison F. Williams

AFW/am

Enclosure

Lindsey to Pl Free
to W. Wesley
to Howell Mill
to Corr of Moores Mill

Hold for
Tuesday night meeting
S.F.V.

ATLANTA, GA.
PM
18 NOV
1969
24

Mr Emory Via
Southern Regional Council
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

MEMORANDUM

Date: December 3, 1969

To:

Mr. Art Campbell	Mr. Paul Muldawer
Mr. Robert Clayton	Mr. Joe Robinson
Mr. Reese Cleghorn	Mr. Horace Sibley
Mr. Cecil Conlee	Mr. R.H. Thompson
Mr. L.L. Gellerstedt, Jr.	Mr. William VanLandingham
Mr. King Grant, Jr.	* Mr. Emory Via
Mr. John Helms	Mr. Robert C. Vowels
Mr. Jerry T. Hinson	Mr. Carl Ware (No longer Urban Eat)
Mr. J. Erskine Love	Mr. Al Warrington
Mr. James McGovern	Mrs. Isabel Webster
Mr. Peter White	

Spearman
Brown

From: Robert C. Vowels RCV

Subject: Advisory Board for the Royal Knights Housing Project

The Advisory Board for the Royal Knights Housing Project will meet Tuesday, December 9, 1969 at 8:00 P.M. in the Lounge of the Business Administration Building* at Atlanta University.

A primary purpose of the meeting is to consider the purpose of the Board and its relationship to John Brown and the Royal Knights.

Our agenda might be:

Elect Chm

1. The purpose of the Board
2. The relationship of the Board to John Brown
3. Who will make decisions on the Project
4. Consideration of short-run goals of the Project
5. Consideration of long-run goals of Project
6. Present financial arrangements
7. Future and alternative financial sources

If we follow this agenda, we should be through by 9:15.

RCV:bgt

*The Business Administration Building is located at 223 Chestnut Street, S.W., between the Administration Building (domed, with clock) and the Rufus E. Clement Building and must be entered from the inside of the Atlanta University Campus.

HARVARD UNIVERSITY

DEPARTMENT OF ECONOMICS

Room 130
12 Divinity Place

CAMBRIDGE, MASSACHUSETTS 02138

June 5, 1967

Emory F. Via
Director, Labor Program
Southern Regional Council
5 Forsyth Street, N.W.
Atlanta, Georgia

Dear Mr. Via:

I am enclosing for your interest a draft of the paper on discriminatory promotion systems which I gave at the IRRA meetings last December.

Very truly yours,

Peter B. Doeringer

Peter B. Doeringer

Enc.

Reprinted from the Proceedings of the Nineteenth Annual Winter Meeting
Industrial Relations Research Association

PROMOTION SYSTEMS AND EQUAL EMPLOYMENT OPPORTUNITY [1]

PETER B. DOERINGER
Harvard University

I. INTRODUCTION

One factor contributing to the inclusion of Title VII in the Civil Rights Act of 1964 was the growing concern among civil rights advocates about the disadvantaged position of the Negro in the labor market. Testimony before various federal, state, and local fair employment practices commissions had provided ample evidence that the disparity between Negro and white experience in both employment and earnings was attributable, in part, to the systematic exclusion of Negroes from many employment opportunities.[2]

The prohibitions of Title VII against employment discrimination are comprehensive in scope, covering hiring, discharges, promotions, compensation, conditions of work, and the like. The procedures for remedying employment discrimination which it outlines emphasize voluntary compliance. When a complaint is filed with the federal Equal Employment Opportunity Commission, it is referred to a state or local fair employment practices commission for action wherever possible. When a settlement is not obtained at the state or local level, the complaint is then investigated by the EEOC. If the EEOC finds that there is reasonable cause to believe that a complaint has merit, it attempts to induce the respondents voluntarily to develop a remedy, with the assistance of a conciliator. This effort may be followed, if necessary, however, by *de novo* proceedings in the Federal courts initiated by the complainant, or in some instances by the Justice Department.

The formulation of standards for compliance with Title VII poses challenging problems for the EEOC and the courts, perhaps the most formidable and sensitive being the elimination of racially

[1] The Civil Rights Act of 1964 prohibits discrimination because of race, color, religion, sex, or national origin. This paper will deal exclusively with problems of racial discrimination in manufacturing plants.

[2] See 1961 Commission on Civil Rights Report, Vol. 3, *Employment*, pp. 128–150; Michael I. Sovern, *Legal Restraints On Racial Discrimination In Employment* (New York: The Twentieth Century Fund, 1966), pp. 15–17, 48–55, 105–140; and Ray Marshall, *The Negro and Organized Labor* (New York: John Wiley & Sons, Inc., 1965).

discriminatory promotion systems.[3] Within the confines of the statute a wide range of competing remedies for this problem are being proffered by legal theorists. Those at one end of the spectrum would protect all existing promotion expectations and would permit Negro employees to fill only those promotion vacancies for which no white employees hold prior claims.[4] Those at the opposite pole feel that such remedies fail to provide Negro employees with full equality of promotion opportunity. Advocates of the latter position suggest that some form of plant-wide seniority should govern promotions, and that the appropriateness of job progression sequences should be reappraised if they inhibit the utilization of such plant-wide seniority.[5]

While the courts are not strangers to the problem of discriminatory promotion systems, having dealt with them in a limited fashion in the context of the duty of fair representation, Title VII creates a new avenue for relief from discrimination.[6] The standards which will emerge from EEOC and court involvement in defining compliance with Title VII and in fashioning appropriate remedies to promotion discrimination will presumably have considerable impact upon the substantive provisions concerning promotions, layoffs, and on-the-job training sequences contained in collective bargaining agreements, particularly those covering Southern plants.[7]

II. THE DESIGN AND FUNCTION OF PROMOTION SYSTEMS

Analytically, a promotion system consists of four components: (1) the promotion unit or primary group of job classifications within

[3] According to figures released by the Commission for the first six months of its operation, roughly one third of the complaints were related to the operation of the promotion system. (Cited by the Bureau of National Affairs in *61 LRR 61*, January 31, 1966.) This figure probably overstates the volume of promotion cases because of some double counting.

[4] This is essentially the form of relief approved by the courts in a recent promotion system case arising under the NLRA doctrine of fair representation. See Whitfield v. United Steelworkers of America 263 F. 2d. 546 cert. denied 360 U.S. 902 (1959).

[5] See, for example, William B. Gould, "The Negro Revolution and the Law of Collective Bargaining," *34 Fordham Law Review 207*, pp. 216–26.

[6] See, for example, the treatment of discriminatory promotion systems in Steele v. Louisville & Nashville RR Co. 323 U.S. 192 (1944) and Whitfield v. United Steelworkers of America, *op. cit.*

[7] While the legal requirements of Title VII are the same for all plants, organized and unorganized, the unorganized plants lack the collective bargaining mechanism, including an arbitration procedure, for developing and implementing remedies.

which an employee makes vertical and lateral inter-job transfers,[8] (2) the job classifications through which he enters or leaves the promotion unit, (3) the criteria, such as ability or seniority, governing movements within the promotion unit and into or out of the unit, and (4) the procedures by which job vacancies are offered to employees (job posting systems) and by which employees indicate a willingness to accept job changes (job bidding or assignment systems). The more detailed elements of promotion systems which are critical in determining patterns of labor allocation within the plant include the weights assigned to ability and seniority criteria for promotions, the placement of job classifications into particular units, the extent of bidding or bumping rights, the seniority rights which an employee retains when transferring between job classifications or promotion units, and the like.

There is a wide diversity in the design and operation of promotion systems among the plants in a locality, industry, and even within a multi-plant company, which is attributable to the diverse economic and social contexts within which they function. In organized plants, and in many which are unorganized, the rules governing formal promotion systems establish some measure of the employees' job rights, job security, and promotion opportunities. For the employer, these rules provide a means of reconciling the human relations problems of job competition among the employees, especially in plants where there are static or declining opportunities for employment and advancement. Such systems also provide an orderly administrative mechanism for allocating work opportunities and for developing job skills and experience through on-the-job training sequences.[9] While these formal promotion arrangements typically constrain management's freedom to assign workers solely on the basis of ability or convenience, they have usually been designed so that efficiency has not been significantly impeded.[10]

[8] The scope of the unit will often vary with the type of movement (*i.e.* layoff, promotion, transfer, and the like) and will typically depend on whether the movement is temporary or permanent. It may consist of a single job classification, as in some textile, apparel, and shoe plants; a multi-classification progression line embodying formally defined interconnections among job classifications; or broader agglomerations of job classifications which are department or plant-wide.

[9] See Sumner H. Slichter, James J. Healy, and E. Robert Livernash, *The Impact of Collective Bargaining on Management* (Washington: The Brookings Institution, 1960), pp. 104–210.

[10] See James J. Healy, "The Factor of Ability in Labor Relations," *Arbitration Today, Proceedings of the Eighth Annual Meeting of the National Academy of Arbitrators,* 1955.

In general, these systems recognize both the daily and the long run economic needs of employers and employees. These needs are controlled largely by the type of skills needed, the prospects for the growth or decline of employment in the plant and in the locality, the seasonal or cyclical fluctuations which occur in the production process, the characteristics of the local labor supply, and the economic commitments of the workers in the plant.[11] Since these factors will vary considerably, both among different plants and in the same plant over time, promotion systems are typically negotiated locally or as local supplements to national agreements.

Changes in any of the above variables can radically alter both the employer's and the employee's perception of the type of promotion system required in the plant. The local establishment of these systems permits the parties to modify them as local conditions change. This flexibility is always tempered, however, by employment expectations created during the previous operation of the system.[12] Thus the promotion system is often the product of an evolving series of accommodations to both economic forces and custom.

Most formal promotion systems may be said to operate discriminatorily as they favor some groups of workers over others. In those promotion systems which are based, at least in part, upon length of service, and in which promotion units are broad, the employment position of the older workers is generally enhanced. In enterprises where promotion units are narrower, the employment advantage lies with the more senior workers in each unit, but workers within units experiencing stable or growing employment will fare better, on the whole, than those in declining units, regardless of the absolue value of their seniority. While such non-racial discrimination cannot be eliminated, its incidence can be justfied by reference to the balance which it achieves: (1) between management's objectives of efficiency and the union's concern for employment security for its senior mem-

[11] For a further description of the contribution of economic forces to the development of promotion systems see Peter B. Doeringer, "The Determinants of the Structure of Industrial Type Internal Labor Markets," *Industrial and Labor Relations Review,* Vol. 20, No. 2, January 1967.

[12] The status of these expectations, both as a pragmatic industrial relations problem and as a legal question, is critical to the development of appropriate remedies to promotion systems which are racially discriminatory. As Cox noted, "From a practical standpoint seniority confers a status more important than a bare contractual undertaking. In practice seniority clauses are usually carried forward from year to year. Contract and custom create expectations. Expectations create reliance." Archibald Cox, "The Duty of Fair Representation," *2 Villanova Law Review 151,* p. 164.

bers, and (2) among the intra-union pressures from the employees who receive differential benefits from the promotion system.[13]

Negotiated modifications of promotion systems are typically precipitated by unforeseen economic events such as corporate mergers, plant expansion, prolonged periods of employment contraction limited to particular units, skill scarcities, or radical changes in technology with which the existing system was unable to deal.[14] These modifications often rearrange job equities and require the establishment of a new balance among the competing interests within the plant. When plant employment is expanding rapidly this balance is more easily achieved, since the economic opportunities of some groups need not be improved entirely at the expense of others. When employment is contracting, however, substantial discontent, leading sometimes to wildcat strikes, sabotage, or increased labor turnover, may be generated among workers who are disadvantaged by the modification of the promotion system.[15]

III. TYPES OF DISCRIMINATORY PROMOTION SYSTEMS

Most collective agreements governing racially discriminatory promotion systems do not contain provisions which explicity disadvantage Negroes. Instead, the definition of promotion units, transfer rights between units, promotion criteria, and patterns of hiring and assigning employees to units are used to limit the Negro's advancement opportunity.[16]

The patterns of racial discrimination in promotion systems can, for the most part, be divided into three broad categories. The least common type consists of two functionally identical progression lines

[13] The courts have recognized that a union typically represents groups within its membership which are actively competitive on issues such as seniority where one group tends to benefit only at the expense of another. See, for example, Ford Motor Co. v. Huffman, 345 U.S. 330 (1953), and Humphrey v. Moore 375 U.S. 335 (1964).

[14] For a discussion of seniority problems during business mergers, see Thomas Kennedy, "Merging Seniority Lists," in *Labor Arbitration and Industrial Change. Proceedings of the Sixteenth Annual Meeting of the National Academy of Arbitrators* (Washington: BNA Inc., 1963), and Mark L. Kahn, "Seniority Problems in Business Mergers," *Industrial and Labor Relations Review,* April 1955.

[15] Sayles and Strauss point out, for example, that typically about one third of employee grievances are related to the operation of the promotion system. Leonard R. Sayles and George Strauss, *The Local Union: Its Place in the Industrial Plant* (New York: Harper & Brothers, 1953), pp. 51–52. See also Kennedy, *op. cit.,* and Kahn, *op. cit.*

[16] As a legal problem the identification of a racially discriminatory promotion system must be inferred from circumstantial evidence. There is no generally applicable standard for determining the lawfulness of a system.

within a single department, one Negro and the other white. A more typical arrangement involves restricting Negroes to the lower paying job classifications and progression lines within a department. In some instances these progression lines may be functionally related to those occupied by white employees, so that job experience acquired in the Negro progression lines can be utilized in the white progression lines. The third type of discriminatory promotion system restricts Negroes to separate units such as labor pools, less desirable production departments, or unskilled job classifications which are not connected to other promotion units. Here the functional relationships between the Negro and white promotion units are less clear or nonexistent. Discrimination of the latter type may also be reinforced by bargaining unit boundaries, as when different promotion units are represented by different unions or when certain groups—laborers, janitors, and the like—are not included within any bargaining unit.

Such segregated promotion units may either be formally established or may exist informally through tacit arrangements which permit only white employees to transfer permanently into the more desirable job classifications. The net result of these systems has been to reduce the past economic opportunities of Negroes and also to limit their opportunities to acquire either the requisite in-plant training or the seniority credits to enable them to compete for future promotions on an equal basis with white employees.

IV. REMEDYING DISCRIMINATORY PROMOTION SYSTEMS

Remedies for discriminatory promotion systems may involve changes in both the scope of the promotion unit and the rules governing the priorities for inter-unit and intra-unit promotions and transfers. The former type of remedy includes arrangements such as:

1. Dovetailing functionally identical Negro and white progression lines by merging similar job classifications.
2. Broadening the scope of the promotion unit through the merger of white and Negro units by job grade, seniority date, or other objective criteria.
3. Removing barriers to transfer between Negro and white promotion units.
4. Merging less skilled Negro and white job classifications to form multi-department pools or "pans" for the exercise of pro-

motion or transfer rights among the lower skilled, more easily learned jobs, combined with a narrow promotion unit structure for higher skilled job classifications.

The latter type of remedy, changing the rules governing priorities for promotions, transfers, and layoffs, includes:

1. Modifications in job bidding and posting procedures to give Negro employees a systematic mechanism for gaining access to previously white job classifications.
2. Modifications in the promotion clause to relax the ability criterion by providing trial periods for promotions, instituting longer training periods to test ability to perform a job, and recognizing an employee's potential for training as well as his job experience.
3. Establishment of programs for upgrading the skills of the lower paid employees in the plant, to enhance their promotion qualifications within the existing rules system.

Such remedies can be combined in a variety of ways to suit the particular conditions surrounding each discriminatory promotion system. While they can all be implemented voluntarily through collective bargaining procedures, distinctions may be drawn among them on the basis of (1) the distribution of the costs of the remedy among the parties, and (2) the degree to which they are required by Title VII.

Consider, for example, the type of remedy in which white and Negro promotion units are merged in a manner which permits Negro employees to move into only those vacancies in the previously white job classifications for which white employees hold no prior promotion expectations. Such remedies do not create any significant additional training costs for the employer, nor do the white employees bear any costs of reduced promotion opportunities. By permitting the white employees to exercise training and seniority previously acquired under the discriminatory system, however, a period of transition is established during which Negro employees continue to bear the implicit costs of reduced promotion opportunities.

An alternative remedy which recognizes these transition costs, is to permit Negroes to advance into job vacancies for which whites held priority rights under the previous promotion system. This would include, for example, broadening the scope of the promotion

unit in which length of service credits can be exercised in job bidding, and relaxing the ability criteria to be used in evaluating an employee's qualifications for promotion. When ability qualifications are maintained while the scope of the unit in which seniority rights are exercised is broadened, any increase in the advancement rates of Negro employees will come entirely at the expense of reduced promotion opportunities for the white employees with no costs being incurred by the employer. If ability standards are relaxed, however, the employer also shares some of the remedy costs by providing additional training with each promotion. In the extreme case, in which senior Negroes are allowed to displace junior white job incumbents, regardless of ability, the cost of the remedy is borne exclusively by the employer and the white employees.

The implication of this analysis is not that an appropriate remedy should be defined by some cost formula, but rather that the acceptability to the parties of a particular remedy is conditioned by the distribution of its costs. The final form which a voluntary remedy will assume in each case, however, will also be considerably influenced by the attitude of the courts toward discriminatory promotion systems, especially in their determination of the amount of protection accorded to the ability and seniority rights acquired by white employees in promotion units or job classifications, which were previously closed to Negroes.

Neither the language of Title VII nor its legislative history provide definite guidance in this area. It seems clear from the Senate debate that ability standards and formal job qualifications are largely protected [17] and that, at least in some instances, Title VII cannot require that incumbents be displaced.[18] One might also argue that the same principle which protects job incumbency can logically be extended to protect downgrading and layoff rights, but the legislative history is not explicit on this point.

The Senate debate is even less certain as to whether seniority or ability rights to promotion vacancies open previously only to white employees are also protected. There is considerable evidence, for example, that the Senate did not consider the seniority issue except in the limited context of a plant-wide promotion unit.[19] Moreover,

[17] See the memorandum on Title VII by Senators Clark and Case, 110 *Cong. Rec.* 6992, and Senator Clark's response to Senator Dirksen's memorandum, *ibid.*, p. 6997. (Citations from Daily Edition.)

[18] *Ibid.*, p. 6992.

[19] *Ibid.*, p. 6996.

much of the debate focused upon the seniority problem in all-white plants or in plants which had only recently begun to hire Negroes.[20] While Senators Case and Clark, the floor managers of the legislation, stated clearly that "seniority rights are in no way affected,"[21] they also asserted that if seniority rules are discriminatory they are unlawful, that future job vacancies (without distinguishing between hiring and promotion vacancies) must be filled on a non-discriminatory basis, and that only "established seniority rights" are protected.[22]

By protecting a limited set of established rights and standards within promotion systems, the legislative history constrains, to some degree, the types of remedies which the courts can require. Any such solution, moreover, is likely to have certain practical disadvantages in its application.

Remedies which permit Negro employees to transfer into only those vacancies in previously white job classifications to which white employees hold no prior claims will continue to restrict, for some period, the Negroes' promotion opportunities. If the courts recognize this inequity and endorse some form of remedy which rearranges promotion rights or job security, the following disadvantages accrue. (1) The remedy will be meaningless if Negroes lack the qualifications required for upgrading. (2) The distribution of the costs of the remedy between the respondents seems excessively imbalanced. Given the ability qualification in most promotion agreements and the apparent protection accorded such clauses under Title VII, the employer would not bear any additional training costs. Moreover, while the remedy imposes a cost on the white employees, it is not collected from them as a class, but rather from particular individuals who are denied promotions which they would have received under the previous system. (3) The discretionary latitude inherent in the application of the ability clause, when determining the qualification of an employee for promotion, may make the remedy technically difficult to enforce if the employer and the union are not firmly committed to accepting it.

These disadvantages, in my view, indicate that the types of solutions which the courts can require are likely to be less effective than those which are available through voluntary negotiation. This suggests that in order to encourage the broader range of remedies

[20] 110 *Cong. Rec.* 6986; *ibid.*, p. 6992.
[21] *Ibid.*, p. 6996.
[22] *Ibid.*, pp. 6986, 6992.

which are within the purview of voluntary compliance but which the courts cannot require, the courts might well adopt, where necessary, a position which would impose some moderate costs upon the respondents, as, for example, requiring forms of promotion system reorganization which would permit qualified Negroes to exercise previously acquired seniority rights for bidding into job vacancies in broad promotion units encompassing both Negro and white job classifications. Such remedies seem preferable, not as a rigid standard for compliance with the Act, but rather as an incentive to the parties to develop more suitable alternatives.

One alternative might be to expand the scope of the promotion unit to encompass both Negro and white job classifications, combined with a broadening of the criteria governing promotions to include an employee's training potential as well as his ability and seniority.[23] This remedy would increase the likelihood of promotion for the more capable Negro employees by recognizing a wider range of relevant considerations in determining eligibility for promotion.

A second, and in the long run perhaps more satisfactory, alternative is to have the employees currently in Negro promotion units be given preferential access rights to the entry jobs in the previously white units. This promotion system reorganization would be maximally compatible with the existing collective bargaining relationships and would provide the non-discriminatory promotion framework of which the employer and the union are most likely to ensure the success. Since it does not provide Negro employees with any opportunities to acquire non-entry jobs in the white unit commensurate with their seniority or ability, however, it should be considered as only a *partial* fulfillment of the obligation of the union and the employer to provide appropriate affirmative action to eliminate the discrimination.

The *quid pro quo* for the waiver by the Negro employees of the potential promotion rights available under a court remedy such as that suggested above, should be that they receive additional compensation, such as bump-back rights into their previous unit during reductions in forces, and, most important, additional training to ensure their qualification for promotion when job vacancies occur or to develop more general skills.

Such a solution will provide fewer immediate economic advantages for particularly well qualified Negro employees than can per-

[23] See "Challenges to Collective Bargaining," *Final Report of the Thirtieth American Assembly* (Harriman, N.Y., 1966), p. 5.

haps be required by the Act. It recognizes the diversity of competing needs and preferences in the plant, however, and will more effectively serve the long run interests of the Negro employees, as a class, by ensuring that more of them will be qualified for advancement and that such advancement will not require the sacrifice of income or job security. Moreover, it provides a mechanism through which the employer and the union can share the costs rather than penalizing specific individuals who may not have been responsible for the discrimination. Perhaps more important, this solution permits the parties to the complaint to exercise wider discretion in fashioning remedies through a collective bargaining process which recognizes the diversity of competing needs and preferences within the plant.

V. FACILITATING THE PROCESS OF COMPLIANCE

In conclusion, there are two areas which warrant further exploration by the parties and the Commission in order to increase the likelihood of securing voluntary compliance with the Act: (1) expanding the promotion opportunities for the employees in the plant, and (2) creating additional machinery for dealing with impasses during conciliation.

As indicated above, equal employment opportunity objectives are most readily achieved during periods of economic expansion. While the overall rate of economic growth is a micro parameter, the employer has available certain instruments for influencing the expansion of promotion opportunities within the plant. When racially discriminatory promotion systems exist in a plant which is part of a multiplant corporation, corporate management might be urged by the Commission or the respondents to increase the available jobs in the plant by diverting additional production orders, and even funds for capital expansion, into those plants which are attempting to comply with Title VII.

In addition, there are desirable jobs within the bargaining unit which are normally filled by hiring (some maintenance and production craft occupations, for example) which potentially represent additional promotion opportunities, provided that appropriate training arrangements are established. This same procedure can also be extended to include craft, clerical, and technical positions outside of the bargaining unit. In plants with declining employment, where such arrangements cannot provide significant expansion in pro-

motion opportunities, a more ambitious program could be developed to provide employees in the lower paying, and typically Negro, jobs with training in basic English and mathematics, vocational skills, and clerical or technical skills which could then qualify them for a broader range of jobs with other employers in the community. While the training required for these jobs will typically be substantial, assistance may be available from local school systems and from the federal government under the Vocational Education Act and the MDTA.

Finally, since not all complaints will be resolved voluntarily, the Commission might wish to consider the possibility of interposing additional procedural steps between conciliation and litigation in the courts. In view of the willingness of Congress and the courts to encourage fact finding and arbitration in private industrial disputes, modified forms of these techniques might also be appropriate in correcting discriminatory employment arrangements.[24] The Commission, with the assistance of groups such as the National Academy of Arbitrators or the American Arbitration Association, could establish a panel of recognized private arbitrators and mediators to handle those cases in which conciliation was not completely successful. If a complaint under Title VII could not be resolved through conciliation, the employer, the labor organization, and the complaining party could be given the option of continuing the case in the courts or of agreeing to submit the unresolved issues to an intermediate step involving either fact finding with recommendations or binding arbitration subject to Commission and Court review. The costs incurred in these procedures could be shared by the respondents, as they are in conventional arbitrations.

These additional options allow the parties to preserve some of the initiative and flexibility of voluntary compliance by voluntarily delegating the responsibility for developing a remedy to a mutually acceptable neutral. Moreover, such neutrals can presumably bring more expertise to the resolution of these difficult issues than can the courts.

[24] See United Steelworkers of America v. American Manufacturing Co., 363 U.S. 564 (1960), United Steelworkers of America v. Warrior Gulf and Navigation Co., 363 U.S. 564 (1960), and United Steelworkers of America v. Enterprise Wheel and Car Corporation, 363 U.S. 974 (1960).

Employment: The Neglected Indicator

W-S-J 2/3/78

By GEOFFREY H. MOORE

Ask any newspaper reader what the *unemployment* rate today is and he will probably know it is about 6%. Ask him whether *employment* is rising, or falling or remaining about the same and he probably won't have the foggiest idea. If he has thought about it at all, he may reason that employment and unemployment are just reverse sides of the same coin, and if you know what is happening to one, the opposite must be happening to the other. Unfortunately, he would be wrong.

In general, a great deal more is said about the unemployment rate and its movements than about the level of employment and its movements. This is understandable because of our public concern about the hardships suffered by many who can't find work. But, as an indicator of the economic situation, employment deserves at least equal attention. Three principal reasons underlie this assertion.

First, the concept of employment is firmer than the concept of unemployment. Having a job and being paid for it is, for the most part, an observable experience. True, there are some fuzzy situations—as when a person is on strike, or when he has accepted a job but has not yet started to work, or when he is on vacation without pay, or when he is working only a few hours a week. But most of these situations can be objectively identified and decided by rules set up for the purpose.

The concept of unemployment is quite different. For those who have had a job and have just been laid off, the situation may be clear. Nevertheless, unless the worker is doing something to seek work, he will not be counted as unemployed according to the definition used for many years in the U.S. Those who are unemployed because they have been laid off constitute only 40% to 50% of the unemployed. The rest have either quit their jobs voluntarily or have not recently (or ever) had a job. Now they are seeking one.

The Job Seekers

Seeking a job is not as clear-cut a condition as having a job. One can seek half-heartedly or energetically. One can seek a job yet turn down one or more offers. One can set realistic or unrealistic standards for pay, hours, type of work or location. Furthermore, one can accept a job without having sought it, in which case one will become employed without having been unemployed. Or one can seek a job and at the same time have another full-time activity, such as being a student. Or one can have given up seeking a job because none was to be found, yet be quite ready to take one if the opportunity comes along.

In short, for a sizable number of the jobless, whether one is unemployed or not is to some degree a matter of opinion. In the household survey from which estimates of total employment and unemployment are derived, questions are answered by the respondent—often the housewife who happens to be at home and who answers for the entire family. Hence there is bound to be some variability in opinion from one household to another, or from the same household at different times. This is one reason for paying close attention to unemployment rates for those whose unemployed status is not likely to be in doubt—married men or heads of household, those who have lost their job or those who are seeking full-time work. It is also a reason for focusing on employment trends, since variability of opinion is likely to be much less important when the individual is employed.

A second reason for watching the trend of employment is statistical. Because only a small fraction of the labor force is unemployed, the numbers are subject to a much larger relative sampling error than the numbers of employed. Moreover, seasonal variations are easier to eliminate in employment than in unemployment, so the results are less subject to revision. Hence one can be more confident with respect to a developing trend in the employment than in the unemployment data.

A third reason that employment deserves equal consideration with unemployment as an index of the economic health of the nation has to do with their cyclical behavior. Ordinarily the total labor force of the country—those at work and seeking work—grows fairly steadily year in and year out with the growth of population. The business cycle has some effect on the rate of growth of labor force, especially on those workers who are not the family breadwinners, but the influence is relatively small. What the business cycle does affect in a substantial way is employment, and these effects take time to spread across the entire economy. Not all companies or establishments or industries begin to expand at once when an economic recovery begins, nor do they all contract at once when a recession hits.

Growth of the Labor Force

As a result, at the beginning of a recovery the expansion of aggregate employment usually starts off at a slow pace, less than the continuing growth of the labor force. Indeed, the growth of the labor force may be stimulated to some degree by the improving employment situation. Unemployment continues to rise, therefore, despite the rise in employment.

But the rise in unemployment under these conditions is not a sign that the economy is deteriorating. On the contrary, the economy is gaining strength. Moreover, the outlook is improving even for many of those who are unemployed, because the prospects for finding a job improve when employment is rising—since that means more workers are being hired than are being fired.

In short, at a time of economic recovery unemployment is typically a lagging indicator relative to employment. Not until the expansion of employment catches up with and surpasses the growth in the labor force is there any decline in unemployment.

It is equally true, of course, and for similar reasons, that at the time of an economic downturn unemployment tends to be a leading indicator relative to employment. The slowing in the rate of increase in total employment, while the labor force continues to grow at about the same pace as before, usually brings about a rise in unemployment before employment begins to decline. This underlines the importance of considering the movements of both employment and unemployment.

Indeed, none of the points made above denigrate the importance of the unemployment data. What they do suggest is that just as close attention should be paid to the trend of employment in appraising the economic scene.

Mr. Moore is federal Commissioner of Labor Statistics.

Equal Opportunity in Federal Employment

Newsletter Published Bimonthly by the
UNITED STATES CIVIL SERVICE COMMISSION

VOLUME 4 NUMBER 6 APRIL-MAY 1972

MRS. SARAH JENKINS, Certification Clerk in the Detroit CSC Area Office and mother of 10 children, discusses her work with Area Manager Ronald Martens. (See story on page 2.)

NIH Launches Major Drive For Minorities

The Office of Health Manpower Education, part of the National Institutes of Health Bureau of Health Manpower Education, will lead a major new effort to recruit members of minority groups into health careers.

Dr. George Blue Spruce, an Indian dentist, is heading the newly organized office. The new office will identify disadvantaged young people with potential for health careers and assist them in enrolling in health professional schools or other health training.

Special concern will be directed toward assisting black Americans, American Indians, Spanish Americans, women, and students.

A consolidation of the Bureau's current activities in recruiting minority groups, the office will also administer grant programs designed to improve the distribution and supply of health manpower.

Five million dollars will be available in the current fiscal year for this effort.

CSC Fills 2 Key EEO Posts

Two key appointments have been made in the Civil Service Commission's equal employment opportunity program.

Gerald K. Hinch, former Labor Relations Officer in the CSC Chicago Regional Office, has been assigned as Director of Federal Equal Employment Opportunity. He succeeds James Frazier who recently accepted a position with the U.S. Department of Transportation.

Higinio Costales, former Civil James Rights Officer with the Department of Transportation, has been named Director of the Commission's program for the Spanish-speaking, wiht responsibility for carrying out the President's 16-point program.

The two new appointees, along with Federal Women's Program director Helene Markoff, will provide leadership for a strengthened Commission role in EEO under the Equal Employment Opportunity Act of 1972.

The EEO Act, signed by President Nixon on March 24, includes Federal agencies and employees under the equal employment opportunity provisions of the Civil Rights Act of 1964 for the first time. It gives the Civil Service Commission additional enforcement powers, and gives the Commission direct authority to see that all personnel actions in Government are free from discrimination.

Mr. Hinch joined the Commission's Labor Relations staff in Chicago in February 1970. Earlier he held positions in the supervision, personnel

(Continued on page 3)

Mother's Desire To Avoid Welfare Leads To Personnel Career

The social worker had told the Detroit mother who was estranged from her unemployed husband that she would be better off taking care of her children at home and receiving a welfare check, rather than going to work.

But the mother was determined that she wanted to set the proper example for her children, so she took a job as a cleaning woman with the Detroit Board of Education at $1.98 an hour.

Mrs. Sarah Jenkins is presently a GS-5 Certification Clerk with the Detroit Area Office of the U.S. Civil Service Commission, where she is in charge of 2 other clerks. She also serves as Equal Employment Opportunity Counselor for the Area Office.

Regarded by her supervisor, August Childress who is Chief, Examining and Certification Section, as his "right arm," Mrs. Jenkins aspires to become a Personnel Staffing Specialist.

She has completed the Equal Employment Opportunity Counselor course, a correspondence course in Personnel Management, and is currently enrolled in a Personnel Clerk Functions course.

The road has not been an easy one for Mrs. Jenkins. Her educational background prior to going to work for the Detroit Board of Education, included a high school diploma and attendance at Lewis Business College, and no work experience.

In 1966, she took a year's leave of absence from the Detroit Board of Education to enter a work-study program for Aid to Dependent Children mothers, sponsored by the Wayne County Social Services Department. Upon completion of the training program, Mrs. Jenkins passed the Clerk-Typist examination and was employed as a GS-2 Clerk-Typist with the CSC Area Office in November of 1966.

"When she first joined the staff, I wasn't sure she would make it," said Mr. Childress. "But she performed over and beyond the call of duty."

Commenting on Mrs. Jenkins' desire to become a Personnel Staffing Specialist, Mr. Childress says, "I think she has the determination, intelligence and ability. In short, she'll make it."

Ronald Martens, Detroit Area Manager, is also very complimentary of Mrs. Jenkins' performance. "She is the contact between the agencies and the Detroit Area Office," explains Martens, and "is the first contact if an agency has a problem with a certificate. She is also the person who can expedite emergency requests from installations."

"Installations are most complimentary of the services that Mrs. Jenkins provides," Mr. Martens says.

Five of the Jenkins children were graduated from high school and are no longer at home. Two of her daughters have worked as Clerk-Typists for the Internal Revenue Service. A daughter, one of the five children at home, will be graduated from high school in June and would like to attend college.

Outside of work, Mrs. Jenkins is very active in activities at Detroit Unity Baptist Church. She is church clerk, president of the church choir, and spends several evenings a week at rehearsal. Her children are also involved in church activities.

"Although it has been rather difficult, being the sole breadwinner in the home, I've never regretted my decision regarding welfare," Mrs. Jenkins says.

Equal Opportunity in Federal Employment

Published Bimonthly by the UNITED STATES CIVIL SERVICE COMMISSION

Editor: Johnnie A. Moore

Use of funds for printing this publication approved by the Director of the Bureau of the Budget by letter of March 24, 1969.

Tillman to Speed Complaints Process

Lisbon U. Tillman has been named head of a new Discrimination Complaint Processing Branch in the Civil Service Commission's Office of Equal Employment Opportunity.

He will monitor agency actions in the handling of discrimination complaints based on race, color, religion, sex, or national origin, and will provide technical guidance to the Commission staff of Equal Employment Opportunity appeals examiners who hold hearings on complaints arising in Federal agencies.

A graduate of Harvard Law School with private law practice before entering Government, Tillman was serving with NLRB as an attorney and advisor to a Board member when selected for his new assignment.

Job Opportunities Improved For Vets

Civil Service regulations have been changed to improve Federal job opportunities for returning veterans.

Under the new procedures a Vietnam-era veteran discharged within the past year with not more than 14 years of schooling may be given a temporary appointment up to grade GS-5 or its equivalent if he meets the qualifications of the job being filled. He need not compete with others for relative standing on a list of eligibles.

If a written test is included in the qualification requirement the veteran must pass it, but a passing mark is sufficient. Military service alone is qualifying for any appointment up through grade GS-3 provided the employing agency determines the veteran can perform the duties in a satisfactory manner.

The new authority to hire returning veterans noncompetitively for temporary jobs is similar in many respects to the Veterans Readjustment Appointment (VRA) authority for placing veterans in continuing jobs, but it differs in two respects. The veterans appointed noncompetitively to a *temporary job* is not required to agree to training, and the appointment does not lead to career status.

OIC CITES CSC CHAIRMAN—Dr. Leon H. Sullivan (right), chairman and founder of Opportunities Industrialization Centers, (OIC) Inc., presents the Government Executive Award to Robert E. Hampton, Chairman of the U.S. Civil Service Commission, for his leadership in providing employment and training opportunities for the disadvantaged in Government. The presentation was a highlight of Government Day at the recent OIC national convention in Washington, D.C. Calling Mr. Hampton "one of the greatest civil servants in the country," Dr. Sullivan recalled meeting Mr. Hampton in 1969, soon after he became CSC Chairman, and discussing how the public and private sectors could work together to make America great. "Robert Hampton has kept his side of the bargain," Dr. Sullivan declared. The Commission has leadership responsibility for the Government-wide equal employment opportunity program, and under Mr. Hampton's direction has emphasized upward mobility for lower-level employees and opportunities for the disadvantaged. Since 1969, nearly 50,000 persons with minimal skills have been hired by Federal agencies through the Worker-trainee examination, and about 300,000 employees in lower grades have received training to help improve their job skills and prepare them for advancement. At the same time, the number of minority-group employees has increased (to 503,608 or 19.5%), despite an overall decrease in the Federal work force, and increasing numbers of minority employees have been advancing into middle and higher grades through the Government.

Booklet Out On EEO Investigations

A revised pamphlet on investigating complaints of discrimination in federal employment has been published by the U.S. Civil Service Commission.

The publication entitled, "Investigating Complaints of Discrimination in Federal Employment," Personnel Methods Series No. 17 (Revised Edition, October 1971), offers guidelines to assist persons who carry out investigations of complaints of discrimination on grounds of race, color, religion, sex or national origin in Federal employment.

Covered in the publication are such topics as origins of discrimination cases, roles of the investigator, scope of investigation, steps in conducting the investigation, and points to be included in certain types of complaints.

Qualities and conduct required of investigators are also outlined in the booklet.

The publication is available through the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. at 25¢ per copy.

Federal Women's Program Booklet Out

A new booklet on the Federal Women's Program has been released by the U.S. Civil Service Commission.

The booklet entitled "The Federal Women's Program: A Point of View" is designed to acquaint women in the Federal workforce as well as women outside Government with the Federal Women's Program, and to encourage Federal managers and supervisors to support affirmative action to assure equal opportunity for women in all aspects of employment.

POSTS—*from page 1*

management, and training and development at the Hines (Illinois) Veterans Administration Hospital.

He has also been active in the field of equal employment opportunity with local organizations in the Chicago area, and is a member of the DuPage County (Illinois) Human Relations Advisory Commission.

In announcing Hinch's appointment, CSC Chairman Robert E. Hampton said: "Mr. Hinch brings to this key position a rich and varied background in equal opportunity, personnel management, labor relations, education, and community service."

Mr. Costales, who succeeded Fernando E. C. DeBaca upon the latter's transfer to the Department of Health, Education, and Welfare as Regional Director in San Francisco, has had wide experience in both personnel management and equal opportunity work in the Federal Government.

In addition to his service as a civil rights officer in Transportation, he served as a personnel officer for the Internal Revenue Service in Washington and Albuquerque, and immediately prior to joining the Department of Transportation, was equal employment opportunity officer for Kirtland Air Force Base in New Mexico. His experience also includes a tour of duty as personnel officer with the Agency for International Development in Turkey.

He has been active in the League of United Latin American Citizens.

Federal Woman's Award To 6

Six outstanding Government career women received the 12th annual Federal Woman's Award during ceremonies in Washington, D.C., recently.

The winners, nominated by their agencies and chosen by an independent panel of judges, were honored for their outstanding contributions to the quality and efficiency of the career service of the Federal Government, for their influence on major Government programs, and for personal qualities of leadership, judgment, integrity, and dedication.

The six women selected to receive the 1972 Award are:

Dr. Lois Albro Chatham, Chief, Narcotic Addict Rehabilitation Branch, Division of Narcotic Addiction and Drug Abuse, National Institute of Mental Health, Department of Health, Education and Welfare, Rockville, Md.

Mrs. Phyllis Dixon Clemmons, RN, Director, Suicide Prevention and Emergency Mental Health Consultation Service, Mental Health Administration, Department of Human Resources, Government of the District of Columbia.

Dr. Ruth Margaret Davis, Director, Center for Computer Sciences and Technology, National Bureau of Standards, Department of Commerce, Gaithersburg, Md.

Mrs. Mary Harrover Ferguson, Comptroller, Office of Naval Research, and Special Assistant (Financial Management) to the Assistant Secretary for Research and Development, Department of the Navy, Arlington, Va.

Dr. Ruth Mandeville Leverton, Science Advisory (Nutrition), Office of the Administrator, Agricultural Research Service, Department of Agriculture.

Dr. Patricia Ann McCreedy, Public Health Physician, Project Manager of Village Health Program, Agency for International Development, Vientiane, Laos.

As a public service, Woodward and Lothrop, Inc., of Washington, defrays all expenses connected with the Federal Woman's Award.

FEDERAL WOMAN'S AWARD winners for 1972 are shown prior to ceremonies in Washington, D.C. From left to right: Mrs. Mary H. Ferguson, Office of Naval Research; Dr. Patricia Ann McCreedy, Agency for International Development; Dr. Ruth M. Davis, National Bureau of Standards; Mrs. Phyliss K. Clemmons, D.C. Department of Human Resources; Dr. Lois R. Chatham, National Institute of Mental Health; and Dr. Ruth M. Leverton, Agricultural Research Service.

Equal Opportunity in Federal Employment

Vol. 4 No. 6 April-May 1972

Newsletter Published Bimonthly by the UNITED STATES CIVIL SERVICE COMMISSION Office of Public Affairs Washington, D.C. 20415

Official Business

United States Civil Service Commission
POSTAGE & FEES PAID

October 22, 1963

MUNICIPAL EMPLOYMENT

These are merely fragmentary notes, derived from a search of our files. They do not represent a full picture of any of the cities mentioned. We have simply noted instances of non-traditional employment which we had record of in our files. (All of this group of cities employ Negro policemen.)

Charlotte	-	billing clerk (employed July 1963, apparently first white-collar Negro in municipal employment).
Greensboro	-	cashier in tax assessor's office
Houston	-	4 process servers 6 clerical workers in county clerk's office* (hired 1963) 3 probation officers in juvenile court assistant pumper, 2 foremen in Water Department (hired 1963) 3 beauty shop inspectors in Health Department (hired 1963)
Knoxville	-	clerk in Registrar of Deeds office (hired October 1962)
Memphis	-	Assistant Public Defender 3 sheriff's deputies clerk at City Hall
Nashville	-	firemen supervisor in Welfare Department deputy tax assessor clerical personnel at Housing Commission
New Orleans	-	police sergeant
Richmond	-	6 of 28 fire companies are integrated; in July 1963 the all-Negro company was disbanded and re-assigned.

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*one of these at meet-the-customer counter

October 22, 1963

HOTEL AND RESTAURANT SERVICE

	Hotel and Motel	Restaurant
Richmond	4 leading hotels - the John Marshall, Jefferson Richmond, and Byrd - open. At least 5 motels - 2 Howard Johnsons, 2 Holiday Inns, and the Executive - open.	Most leading restaurants are open. About 25 were so before demonstrations summer 1963; approximately 90 have opened since.
Norfolk	Our information is that all, or virtually all, hotels and motels now open. Most of these changed policies in July 1963 or later; a few (e.g., the Golden Triangle) opened much earlier.	A few only open; these include some of best. All department store dining rooms open (until September 1963 there had been one hold-out).
Greensboro	5 motels -- two Holiday Inns, Howard Johnson, Town House, Kent Court - open. Hotels still segregated, except for dining for some mixed meetings.	37 eating places open; this includes dining room of desegregated motels, department stores; and 6 first-class restaurants, as well as national and regional chains.
Charlotte	5 leading hotels -- Manger, Queen Charlotte, Sheraton-Barringer, Heart of Charlotte, Downtowner -- and 3 leading motels -- Coliseum, James Lee, Alamo Plaza -- open; maybe others.	As of July 1963, 110 of the 286 restaurants regarded before then as all-white were opened.
Knoxville	2 leading hotels -- Andrew Johnson and Farragut - open; 4 others -- the Park, Atkin, Arnold, and St. James -- still segregated. 2 motels -- a Holiday Inn and the White City -- open; others apparently not.	More than 50 open, spread all over city. Practically speaking, all restaurants are open.

Hotel and Restaurant Service - 2.

	Hotel and Motel	Restaurant
Nashville	12 open; the Albert Pick, Hermitage, Andres Jackson, two Holiday Inns, Noel, Downtowner, Allen House, Anchor House, Howard Johnson, and Alamo Plaza. The latter 6 of these opened October 1963; the former in May 1963.	Nearly all restaurants in city are open. The only notable exceptions are the Krystals, two hamburger shops, and one good restaurant.
Chattanooga	2 leading hotels -- Patton and Reed House -- and one motel -- Holiday Inn -- are open.	Most of the better restaurants are open, since July 1963
Memphis	All leading hotel and motels open since May 1963.	Confused picture. Apparently, only 1 first-class restaurant, hotel dining rooms, and department store dining rooms are open.
New Orleans	All apparently segregated, except the airport Hilton Inn. 3 downtown hotels -- the Sheraton-Charles, Jung, and Royal Orleans -- agreed September 1963 to accept conventions with limited numbers of Negro delegates	All apparently segregated (except airport Hilton Inn.)
Dallas	All leading hotels and motels now completely open. A few small motels still segregated.	An estimated 75 - 85% open.
Houston	All leading hotels, except the 250 room Ben Milam, now open. About 6 motels are open; others did not go along with hotel agreement of February 1963.	Of 105 in restaurant association, all but 5 went along with desegregation agreement Spring 1963; some evidence that about 15 have since re-segregated.

PUBLIC SCHOOL DESEGREGATION: NUMBER OF NEGROES IN SCHOOL WITH WHITES

(Unless otherwise noted, desegregation data is from various publications of the Southern Education Reporting Service. School census data is from various official sources. For each city, the first figure given indicates the first year of school desegregation. Cities desegregated in the late 1950's moved very slowly during the first years, and since have picked up momentum. Atlanta's present total is, among all the cities, whether starting earlier or later, the lowest, except for much smaller Greensboro.)

Year	Atlanta	Char-lotte	Chatta-nooga	Dallas	Greens-boro	Houston	Knox-ville	Memphis	Nash-ville	New Orleans	Norfolk	Richmond
1957		3			6				11			
1958		4			5				34			
1959		1			5				44		21	
1960		2			5	12	28		187	4	23	2
1961	9	27		18	17	32	51	13	272 plus 538N. with 2W. at one school	12	50	36
1962	44	44 plus 400N. with 15W. at one school	50	26*	35	77*	86	53	490 plus 534N. with 1W. at one school	107	101	138
1963	153	81 plus 372N. with 12W. at one school	505 plus 721N. with 1W. and 315N. with 5W. at two schools	182**	128	233***	229	280	773	361 plus 1,440N. with 1W. at one school	241[x]	369[xx]
School Census	110,620 (tot. enroll-ment, 1962, app. 47% Negro)	66,946 (1962) N-18,814 W-48,132	26,745 (1962) N-11,742 W-15,003	117,019 (1962) N-22,929 W-94,090	24,844 (1962) N- 7,094 W-17,750	198,808 (1963) Total Enroll-ment	22,862 (1962) N- 5,290 W-17,572	108,020 (1962) N-51,828 W-56,192	30,419 (1962) N-13,933 W-16,486	98,780 (1962) N-59,428 W-39,352	54,502 (1962) N-19,250 W-35,252	42,596 (1962) N-24,820 W-17,776

Sources: *Houston Chronicle, 9/1/63
**Dallas Morning News, 9/8/63
***Houston Post, 9/13/63
[x]Norfolk Virginian-Pilot, 9/4/63
[xx]Richmond News Leader, 9/6/63

April 6, 1966

Mr. Hollis B. Bach, Director
Employment and Placement Division
Bureau of Personnel
Post Office Department
Washington, D. C. 20260

Dear Mr. Bach:

I have your letter of April 4th inviting me to participate in your interesting program in Mobile on May 19th. I would be happy to be with you on that occasion.

It would be helpful for me to know, in due course, how many persons you expect for the conference and who the other program participants will be.

Sincerely,

Emory F. Via
Director
Labor Program

EFV:jb

P.O. Conf. — Mobile, Ala.

POST OFFICE DEPARTMENT
BUREAU OF PERSONNEL
WASHINGTON, D.C. 20260

APR 4 1966

Mr. Emory Via
Southern Regional Council
5 Forsythe Street, N. W.
Atlanta, Georgia 30303

Dear Mr. Via:

The Post Office Department is embarking on a major educational program for key personnel people in our larger post offices to give full meaning to Executive Order 11246. In five separate locations in the United States, we will be conducting 2-day programs which will deal with the problems faced by minorities, recognition of the nature of prejudice and the affirmative steps that the Department is demanding its post offices take to insure equality. Our training conferences will involve the 200 largest post offices in the United States which represent almost 80% of the total postal personnel. Our conferences will be held at sites near Chicago, New York City, Philadelphia, Mobile and San Francisco. We purposely selected sites just outside the major metropolitan areas so that while travel is not difficult, we do keep our people in a study rather than an amusement atmosphere.

We want the first day of our program to be a meaningful educational experience and we are therefore turning to experts in the field of intergroup relations for assistance. In the first day we want to cover such subject matter as:

1. The nature of prejudice.
2. The problem of acceptance.
3. The education problem.
4. The difficulties in obtaining adequate housing
5. The problems of finance.
6. The difficulties in obtaining meaningful employment and promotions within employment.

Wage differential
Underemployment
Motivation in Seeking employment
Positive Mgt. Action
Testing, Unemployment rates
Training

It would be sincerely appreciated if you would have the time to talk with our postal people about the problems of employment for the American minorities on May 19 at approximately 3:30 p.m. at a site to be named near Mobile, Alabama. It would be appreciated if your remarks would be for a period of approximately 45 minutes plus an allowance of some 10 - 20 minutes for questions. The Department will pay $50.00 for the day in which you are involved, as well as pay the cost of your transportation from your home city to the site of the conference and return.

To be certain that our people are absorbing the information which is the most critical for them to have on the subject you would be presenting, would you please prepare five questions on the subject matter which would be in your presentation so that on the second day the conferees will have an opportunity to show whether or not they gained the information which we want them to have on this subject of employment. Because it will be necessary to duplicate the questions in advance of these conferences, may I have your five questions, if you can accept the invitation, by not later than Thursday, May 5.

I am very hopeful that you can join with us and would you please let me know of your availability as soon as is possible. A great many people can benefit from your help.

Sincerely yours,

Hollis B. Bach

Hollis B. Bach, Director
Employment and Placement Division
and Member of NAIRO

RL No. 66-5

PERSONNEL

Subseries No. 350

POST OFFICE DEPARTMENT
REGIONAL LETTER

Date: 4/6/66

Subject: Equal Employment Opportunity Program

I. Action Office

Directors, Personnel Division

II. Purpose

To inform Regional Personnel Directors of conferences scheduled on the Equal Employment Opportunity Program for the fourth quarter, Fiscal Year 1966, and to identify the post offices to be represented at these conferences.

III. Objectives

Five (5) area conferences will be conducted to educate and instruct Personnel Officers of the larger post offices in their obligations and responsibilities under Executive Order 11246. This Executive Order reemphasizes the policy of the federal government to provide equal employment opportunity and reaffirms the direct responsibility of each Department to establish and maintain a positive program of equal opportunity.

These area conferences are being held to provide the necessary education, guidance, and direction to field personnel officials to insure that postal officials not only practice nondiscrimination, but use imagination and initiative in maintaining an affirmative Equal Employment Opportunity Program.

IV. Area Conferences

The area conferences will be held in the following regions on the dates shown:

SOUTHERN CONFERENCE
Host: Memphis Region
May 19 and 20, 1966

Atlanta

Jacksonville	Macon
Miami	Savannah
Orlando	Charlotte
St. Petersburg	Greensboro
Tampa	Raleigh
Atlanta 2	Winston Salem
Augusta	Charleston
Columbus	Greenville

Memphis

Memphis 2
Birmingham
Nashville
Knoxville
Chattanooga
Montgomery
Jackson
Huntsville

Dallas

Amarillo
Austin
Baton Rouge
Beaumont
Corpus Christi
Dallas 2
Shreveport
Waco
El Paso
Fort Worth
Houston
Lubbock
New Orleans
San Antonio
Texarkana

Wichita

Kansas City
Shawnee Mission
Topeka
Wichita
Omaha
Oklahoma City
Tulsa
Lincoln

NORTH CENTRAL CONFERENCE
Host: Philadelphia Region
May 26 and 27, 1966

Philadelphia

Philadelphia 2
Pittsburgh 2
Newark
Jersey City
Harrisburg
Hackensack
Reading
Wilkes Barre
Allentown
York
Lancaster
Atlantic City
Altoona
Clifton
Trenton
Camden
Wilmington
Patterson
Scranton
Erie
Upper Darby
New Brunswick
East Orange
Elizabeth
Johnstown
Norristown
Bloomfield
Passaic

Washington

Washington 2
Baltimore 2
Hyattsville
Silver Spring
Alexandria
Arlington
Falls Church
Newport News
Norfolk
Portsmouth
Virginia Beach
Charleston

NORTHEAST CONFERENCE
Host: New York Region
June 2 and 3, 1966

Boston

Bridgeport
Hartford
New Haven
Waterbury
Portland
Manchester
Providence
Boston 2
Brockton
Lynn
Springfield
Worcester

New York

New York 2
Bronx
Buffalo
Brooklyn 2
Syracuse
Rochester
Jamaica
Flushing
Niagara Falls
Poughkeepsie
Utica
Schenectady
Yonkers
Long Island City
Albany
Binghamton
Elmira
Garden City
Hicksville
Rockville Centre
Troy
Staten Island
Hempstead
White Plains

CENTRAL CONFERENCE
Host: Chicago Region
June 16 and 17, 1966

Chicago

Chicago 2
Decatur
East St. Louis
Evanston
Oak Park
Dearborn
Detroit
Warren
Flint
Grand Rapids

Chicago (Continued)

Peoria
Rockford
Springfield
Ann Arbor
Battle Creek
Jackson
Kalamazoo
Lansing
Pontiac
Saginaw

Cincinnati

Evansville
Fort Wayne
Gary
Hammond
Indianapolis
Lafayette
South Bend
Terre Haute
Lexington
Louisville
Akron
Canton
Cincinnati 2
Cleveland 2
Columbus
Dayton
Springfield
Toledo
Youngstown

Minneapolis

Minneapolis 2
St. Paul
Duluth
Madison
Milwaukee

St. Louis

St. Louis 2
Kansas City
Council Bluff
Des Moines
Little Rock
St. Joseph
Cedar Rapids
Sioux City

WESTERN CONFERENCE
Host: San Francisco Region
June 27 and 28, 1966

Seattle

Seattle
Portland
Tacoma
Spokane
Eugene
Salem
Anchorage

San Francisco

Anaheim
Bakersfield
Berkeley
Beverly Hills
Fresno
Glendale
Long Beach
Los Angeles 2
North Hollywood
Oakland
Pasadena
Sacramento
San Bernardino
San Diego
San Fernando
San Francisco 2
San Jose
Santa Ana
Van Nuys
Whittier
Los Vegas
Honolulu

Denver

Denver
Phoenix
Salt Lake City
Albuquerque
Tucson
Colorado Springs
Odgen

Regional Directors will take immediate action to insure that Personnel Officers or Personnel Assistants in post offices identified above are notified of these conferences and their attendance is promptly authorized. One representative from the personnel office of each post office identified above will attend these conferences. In offices where the figure two (2) appears above, the Personnel Officer and Superintendent of Employment for that office should both attend. The Personnel Officer or Chief of Employment and Placement in each Regional Office will also attend the conference scheduled for his respective region.

V. Information

All requests for additional information on scheduled conferences should be directed to the Director, Employment and Placement Division, Bureau of Personnel, Washington, D. C. 20260.

Richard J. Murphy
Assistant Postmaster General

Distribution:

Standard

UNITED STATES GOVERNMENT

Memorandum • POST OFFICE DEPARTMENT

SUBJECT: Postmasters' Program for Progress

DATE: April 18, 1966

FROM: Director, Employment and Placement Division
Bureau of Personnel
Post Office Department
Washington, D. C. 20260

IN REPLY REFER TO: P:EP:HBB:fs

TO: Director, Personnel Division
Post Office Department

At present three items are involved in the EEO reporting system:

1. A narrative report
2. Form 1789 statistical report
3. The minutes of the Postmaster's Advisory Committee

All three reports originate monthly in some 300 3P post offices. Since May, 1965, the narrative report and the 1789 report have been consolidated at the regional level and submitted to the EEO Office, Bureau of Personnel. The minutes of the EEO Advisory Committee have been sent to the regional office only.

Beginning in April, 1966, the narrative report and the 1789 report will be put on a staggered quarterly basis. Both will be prepared in triplicate, with two copies going to the region, who will forward one copy to the Bureau. The staggered system is illustrated as follows: Reports will be due in April from: Boston, New York, Philadelphia, Washington, and Atlanta; in May from: Minneapolis, Chicago, Cincinnati, St. Louis, and Memphis; in June from: Wichita, Denver, Dallas, Seattle, and San Francisco.

The minutes of the Advisory Committee meetings will continue to be prepared monthly and forwarded to the regions. Regions are responsible for follow-up with Postmasters where EEO Advisory Committees are inactive to insure that the Postmaster is carrying out his role in achieving equal opportunity.

RESPONSIBILITIES OF THE POSTMASTER

The Postmaster shall be responsible for:

1. Being a participant in community action programs which will identify the post office as an equal employer and an advocate of full rights for all minorities. This includes personal appearances of the Postmaster himself as well as the designation of other postal personnel (ex. Personnel Officer) who can speak and act effectively in this public function. In this activity, Postmasters must be involved in programs that urge and/or provide for educational opportunities for minorities.

2. Analysis of the head count information for his office and development of plans based on the head count for:

   (a) Effective recruiting of minority groups.

   (b) Individual counseling and evaluation of all employees during and after probation is completed to make sure that they understand avenues of advancement and how to pursue them inside and outside the postal service and that they know that management is interested in their personal development.

   (c) The inclusion of minority group employees in 204b details and informal details so that there will be representative opportunity for minority group individuals in the job structure.

   (d) Full inclusion of minority group people in post office training programs.

   (e) Making sure that promotions reflect fully a result of equal opportunity.

   (f) Placement of minority group members in every facet of his postal operation.

3. The adequate training of supervisors to deal with all employees on a basis that will be fair to the person as an individual, offer the employee encouragement in self-improvement, and promote fair and equal relations with fellow employees.

4. Insure the appointment and operation of an EEO Advisory Committee in accordance with current directives.
5. Post an EEO policy statement and the complaint procedures so that employees do know how to file when such action is necessary.
6. Submission of periodic 3P reports to the regional office.

MECHANICS OF ADVISORY COMMITTEE

The EEO Advisory Committee is a committee established by the postmaster to assist him in insuring equitable personnel management in his office. It should be representative of the racial (and religious where religious minorities are a known factor) groups in the office and should include individuals who can make real contributions. Women are to be included in the selections for committee members.

There will be five members of the committee and one member must be appointed and one retired at the end of each four months. An individual is not eligible for election to the office of Chairman in either the first four months he serves or in the last four months.

Other elective offices are those of Vice-chairman and Secretary.

The committee may establish its own rules of procedure.

The committee should meet monthly on official time and their unedited minutes should be given to the postmaster and a copy sent to the Regional Director.

EEO ADVISORY COMMITTEE RESPONSIBILITIES

The EEO Advisory Committee should:

1. Periodically review the employment pattern of the post office to determine the
   (a) Extensiveness of minority group employment and representation in each activity.
   (b) Progression of minority group people by level.
   (c) Relation to employment pattern of community.
2. Suggest to the postmaster methods for bringing minority group people into all areas of postal employment such as is possible through
   (a) Recruitment
   (b) Training
   (c) Reassignments
3. Serve as a channel of communication between the post office and the minority group community to
   (a) Project the image of the post office fairly.
   (b) Report to the postmaster on the community attitude toward postal employment practices.
   (c) Advocate continuing education for minorities.
4. Serve as a collecting point within the post office for employee views on equal employment.
   (a) The committee should inform the postmaster on the effectiveness of communications between management and employees.
   (b) It should suggest to the postmaster any steps needed to install supervisory relationships which contribute to equal employment.

5. Prepare and make available for employee and community gatherings informational material and at times speakers in the field of race relations drawing on local and national history and current events so that equal employment can be viewed logically, realistically, and intelligently. The Committee should prepare a monthly article for the house organ on some facet of the total equal employment opportunity program.
6. Incorporate its recommendations to the postmaster into its minutes so that they may become a matter of record.
7. The Committee shall not accept grievances or complaints, but will direct an employee to the published procedures for proper handling.

Personnel Officers E.E.O. Evaluation Program

POST OFFICE POPULATION

White _____ Minority _____

COMMUNITY POPULATION
(Area Served by Post Office)

White _____ Minority _____

POST OFFICE AVERAGE SALARY
All Positions

White $_____ Minority $_____

E&P

APPOINTMENTS

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
White													
Minority													
TOTAL													

SEPARATIONS

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
White													
Minority													
TOTAL													

TRAINING

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
White													
Minority													
TOTAL													

E&P

204 B DETAILS

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
White													
Minority													
TOTAL													

PROMOTIONS

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
White													
Minority													
TOTAL													

ADOPTED SUGGESTIONS AND AWARDS

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
White													
Minority													
TOTAL													

E&P

DISCIPLINE

(Suspensions and Removals)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
White													
Minority													
TOTAL													

PREVENTABLE ACCIDENTS

(Vehicle)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	TOTAL
White													
Minority													
TOTAL													

POST OFFICE DEPARTMENT
BUREAU OF PERSONNEL
WASHINGTON, D.C. 20260

APR 29 1966

Mr. Emory Via, Director
Labor Program
Southern Regional Council
5 Forsythe Street, N. W.
Atlanta, Georgia 30303

Dear Mr. Via:

To confirm our plans for the Post Office Department's educational conference on the aspects and meaning of Executive Order 11246, we are writing to inform you of arrangements made to date.

The list of participants is now complete and they include, in addition to yourself, the following:

Mr. K. B. M. Crooks, Assistant Director, National Urban League, Atlanta

Mr. Edwin Stanfield, Director, Field Activities, Southern Regional Council, Atlanta

* Dr. Charles Willis, Florida State University, Tallahassee

Mr. Robert Thompson, Intergroup Relations Officer, Department of Housing and Urban Development, Atlanta

Mr. Robert R. Moton, Jr., Division Manager, Waddell and Reed, Inc., Atlanta

* Tentative

The conference will be held at Brookley Air Force Base on May 19th and 20th, with the resource speakers participating on the first day. Any who would like to stay over for the second day to participate with the post office personnel in their discussions will be most welcome, although honorariums cannot be paid for the second day. Conference participants will be housed at Brookley Air Force Base.

Because air travel to Mobile is somewhat infrequent, I hope that you will be able to leave Atlanta in the afternoon or evening of May 18. If I receive your flight schedule, I will try to make an arrangement for your pick-up at the airport. Otherwise, you would simply have to taxi to the base at the main entrance gate. There will be an identification pass waiting for you so that you may have admission to the base. Arrangements will also be made to return you to the airport for the return flight to Atlanta.

As you will be reimbursed for your travel expenses, please keep a record of taxi fares. In addition to the $50 for your presentation, you are authorized $4 per quarter (a six-hour period) for food and lodging expenses during this period.. I am enclosing a government transportation request for your travel to and from Mobile.

Please send me a brief experience resume for introductory purposes. Also, if you have not already done so, please furnish us with five suggested questions to use to determine if our conferees have gotten the real meat of your presentation.

I look forward to making your acquaintance.

Sincerely yours,

W B Patterson

for Hollis B. Bach, Director
Employment and Placement Division

Retyped

May 6, 1966

Mr. Hollis B. Bach, Director
Employment and Placement Division
Post Office Department
Bureau of Personnel
Washington, D. C. 20260

Dear Mr. Bach:

I will be coming into Mobile on May 18 at 8:00 p.m. on Eastern's flight 757. If you are unable to arrange transportation to Brookley Air Force Base, I will simply take a cab.

The five questions which you requested are listed below.

1. In what ways does past earning power affect the present ability to find better employment?
2. What resources are available to a minority group member who has been discriminated against in employment?
3. In what ways are minority group members less secure economically than are whites?
4. What are the changes in our economy that affect the employment opportunities for minority group persons?
5. What are some of the forms of discrimination in employment that operate against minority group members?

I trust that these will serve your purposes.

I look forward to meeting you and participating in your program.

Sincerely,

EFV

STANDARD FORM 50—Rev. December 1961
U.S. Civil Service Commission
FPM Chap. 295

NOTIFICATION OF PERSONNEL ACTION

(EMPLOYEE — See General Information on Reverse)

5 PART
50-124

(FOR AGENCY USE)

1. NAME (CAPS) LAST—FIRST—MIDDLE	MR.—MISS—MRS.	2. (FOR AGENCY USE)	3. BIRTH DATE (Mo., Day, Year)	4. SOCIAL SECURITY NO.
VIA, EMORY F.	MR.		01-11-25	226 26 7154

5. VETERAN PREFERENCE	6. TENURE GROUP	7. SERVICE COMP. DATE	8. PHYSICAL HANDICAP CODE
1—NO 2—5 PT. 3—10 PT. DISAB. 4—10 PT. COMP. 5—10 PT. OTHER	0	0	

9. FEGLI	10. RETIREMENT	11. (FOR CSC USE)
2 (1—COVERED 2—INELIGIBLE 3—WAIVED)	2 (1—CS 2—FICA 3—FS 4—NONE 5—OTHER)	

12. CODE	NATURE OF ACTION	13. EFFECTIVE DATE (Mo., Day, Year)	14. CIVIL SERVICE OR OTHER LEGAL AUTHORITY
171	Excepted Appt (NTE 1 day)	05-19-66	P.L. 600, Sec 15 & POD Approp Act, FY 1966

15. FROM: POSITION TITLE AND NUMBER	16. PAY PLAN AND OCCUPATION CODE	17. (a) GRADE OR LEVEL	(b) STEP OR RATE	18. SALARY

19. NAME AND LOCATION OF EMPLOYING OFFICE

20. TO: POSITION TITLE AND NUMBER	21. PAY PLAN AND OCCUPATION CODE	22. (a) GRADE OR LEVEL	(b) STEP OR RATE	23. SALARY
Expert Consultant PE66-E2-5	EC			pd $50

24. NAME AND LOCATION OF EMPLOYING OFFICE
Bureau of Personnel
Washington, D. C.

25. DUTY STATION (City—county—State)	26. LOCATION CODE
Mobile, Alabama 36601	01 2100 097

27. APPROPRIATION	28. POSITION OCCUPIED	29. APPORTIONED POSITION
	1—COMPETITIVE SERVICE 2—EXCEPTED SERVICE: 2	FROM: 1—PROVED-1 2—WAIVED-2 TO: STATE

30. REMARKS: A. SUBJECT TO COMPLETION OF 1 YEAR PROBATIONARY (OR TRIAL) PERIOD COMMENCING
B. SERVICE COUNTING TOWARD CAREER (OR PERMANENT) TENURE FROM:

SEPARATIONS: SHOW REASONS BELOW, AS REQUIRED. CHECK IF APPLICABLE: C. DURING PROBATION D. FROM APPOINTMENT OF 6 MONTHS OR LESS

Special Government employee. A copy of the President's Memorandum of May 2, 1963 has been given to the employee.

31. DATE OF APPOINTMENT AFFIDAVIT (Accessions only)	34. SIGNATURE (Or other authentication) AND TITLE
05-18-66	Fred E. Cashman Executive Assistant
32. OFFICE MAINTAINING PERSONNEL FOLDER (If different from employing office) Bureau of Personnel Departmental Personnel Office	
33. CODE: PO 01 — EMPLOYING DEPARTMENT OR AGENCY Post Office Department Washington, D. C. 20260	35. DATE 05-19-66 2900

1. EMPLOYEE COPY

★ U.S. GOVERNMENT PRINTING OFFICE : 1965 O—791-338

STANDARD FORM 50
Revised December 1961

NOTICE TO EMPLOYEE

KEEP THIS DOCUMENT FOR YOUR RECORDS. IT IS YOUR COPY OF THE OFFICIAL RECORD OF A PERSONNEL ACTION AFFECTING YOUR EMPLOYMENT. PROMPTLY CALL ANY ERROR TO THE ATTENTION OF YOUR SUPERVISOR OR YOUR PERSONNEL OFFICE.

I. Conditions Pertinent To All Types of Personnel Action

The personnel action identified on the face of this form is subject to all applicable laws, rules, and regulations governing Federal employment and may be subject to investigation and approval by the Civil Service Commission. The action may be corrected or canceled if not in accordance with all legal requirements, or if based upon your misrepresentation or fraud.

In addition, the grade of the position to which you are officially assigned may be reviewed and corrected by your agency personnel office, or by the Civil Service Commission.

Your performance rating upon entrance into a new position is "satisfactory" unless or until you are notified otherwise.

Items 9 and 10 show the common types of payroll deductions; "FEGLI" for Federal Employees Group Life Insurance, "CS" for Civil Service Retirement, "FICA" for Social Security, and "FS" for Foreign Service. Additional deductions may be made under the Federal Employees Health Benefit program, and for income taxes, bonds, and other purposes authorized by law.

II. Information About Appointments

Appointment to positions in the competitive service. The Civil Service Act places most positions in the "competitive service." The Civil Service Commission sets qualification requirements and controls recruitment for such positions. As a general rule, persons selected from civil service registers to fill continuing jobs in the competitive service are given career-conditional appointments. Such appointments are secured through direct competition with other members of the general public seeking similar work in Government agencies, and permit qualified employees to be assigned without further competitive examination to other jobs in the competitive service. Career-conditional appointments become career appointments upon completion of 3 years of substantially continuous creditable service.

The first year following a nontemporary competitive appointment generally is a probationary period, during which period an appointee must demonstrate his full competence and fitness for Federal employment. Reinstatements are also subject to a probationary period unless one was previously completed. Transfers, promotions, changes to lower grade, and reassignments during a probationary period are subject to completion of probation.

Temporary appointments do not confer a civil service status and do not lead to a career or career-conditional appointment without some further examination or qualification. Limited temporary appointments are made when there is no continuing need for a person's service, regardless of the manner in which he qualified for appointment; acceptance of such appointment will not remove a person's name from a civil service register on which he may later be reached for career-conditional appointment.

Appointments to positions in the excepted service. Excepted appointments are made to positions which are excepted from the competitive service by law or other special authority. Generally the employing agency sets qualification requirements and conducts recruitment for such positions. Such appointments do not confer a competitive civil service status or eligibility for movement to jobs in the competitive service; they may be made without restrictions on tenure, with a conditional or indefinite limitation, or with a definite time limitation. A trial period may be required at the discretion of the employing office.

III. Information About Tenure Groups

Employees are ranked in tenure groups according to the nature of their appointment; those with unrestricted tenure are placed in Group I, those serving under conditional appointments which automatically lead to full tenure after a prescribed time and without further qualification are placed in Group II, and those serving under temporary or indefinite appointments not limited to an exact time or date are placed in Group III. Within each tenure group, ranking is determined by veteran preference, performance rating, and total Federal service. If it should become necessary to reduce force, employees are selected for separation or change to lower grade according to this general ranking. Employees serving under competitive appointments and those serving under excepted appointments are ranked separately for reduction in force purposes.

IV. Information About Your Status After Separation

If you are separated or placed in a nonpay status for an extended period, your employing agency will furnish you with Standard Form 8 explaining your rights for unemployment insurance benefits. If you were covered by the civil service retirement system or Federal employees' group life insurance, you have previously been furnished certificates describing these programs; you can refer to such certificates for information regarding your rights and possible benefits after separation.

If you are separated from a career or career-conditional appointment, you may have reinstatement eligibility and can apply directly to any Federal activity and may be employed without further competitive examination; if you are a nonveteran and you are separated from a career-conditional appointment your eligibility for reinstatement is generally limited to 3 years from the date of separation. If you are separated from a temporary or excepted appointment, you have no reinstatement privileges based upon such service.

You will be given any lump sum payment that may be due you for annual leave at the time of separation. Refund of an appropriate portion of this payment will be required if you are reemployed in a Federal agency in a position under the same leave system during the period covered by such payment.

V. Availability of Further Information

Consult your supervisor if you have questions about the above statements or the entries on the front of this form, or about other matters concerning your employment. This is particularly important on questions involving granting of leave, assignment of duties, and hours of work which are generally under his control. If your questions are technical, your supervisor may refer you to your personnel office, which will have copies of controlling civil service regulations, as well as your individual records, and so can best explain how they apply in your case.

☆ U.S. GOVERNMENT PRINTING OFFICE : 1965 O—791-338

POST OFFICE DEPARTMENT

POSITION DESCRIPTION—HEADQUARTERS ONLY

If a significant change occurs in this position, a new description must be prepared and submitted to the Departmental Personnel Division.

ORGANIZATIONAL LOCATION OF POSITION	OFFICIAL TITLE, SERIES AND GRADE	NUMBER
Bureau of Personnel	Expert-Consultant $50.00 per diem	PE 66-E2-5

[X] NEW [ ] IN LIEU OF [ ] OTHER

NAME OF EMPLOYEE *(If any)*

TITLE, SERIES AND GRADE REQUESTED

Expert-Consultant $50.00 per diem

CLASSIFICATION

(Signature) (Date)

Title:

(Signature) (Date)

Title:

CERTIFICATION

This is a complete and accurate description of the duties and responsibilities of this position:

(Signature of Supervisor) (Date)

Title:

(Signature for Office—Bureau) (Date

Title:

AUTHORIZATION

Harry W. Hobbs 5/5/66

Director (Signature) (Date)

Title: Departmental Personnel Office

1. PRINCIPAL DUTIES—RESPONSIBILITIES

Describe below as briefly as you can—in simple language and in a way that will be easiest for you, the principal duties and responsibilities of the position. Your purpose is to inform the reader clearly and specifically as to what is being done in the position and what the responsibilities may be. Very general or vague statements (Such as: "Does cost work.") will not do this. Specific statements like the following, will: "Figures mail transportation costs by simple arithmetic done on a calculating machine." Enter per cent of time spent on each principal duty to right of duty statement.

One of six consultants to the Assistant Postmaster General, Bureau of Personnel, to furnish expert advice regarding the instruction of Personnel Officers of the larger post offices in their obligations and responsibilities under Executive Order 11246. This Executive Order reemphasizes the policy of the federal government to provide equal employment opportunity and reaffirm the direct responsibility of each Department to establish and maintain a positive program of equal opportunity.

APPOINTMENT AFFIDAVITS

INFORMATION FOR APPOINTEE

NOTE.—Before he can be appointed, an applicant for a Federal position must meet certain requirements over and above the requirements that he be able to do the work he is employed to do. On the attached form you are to swear (or affirm) that you meet those requirements. In addition, there are certain general restrictions upon your conduct as a Federal employee. They are set forth on this sheet. You should familiarize yourself with these restrictions and be guided by them. *Detach this portion of the form and retain it for your information and guidance.*

I. MEMBERS-OF-FAMILY RESTRICTION

Except for persons entitled to veteran preference, no person may receive a career or career-conditional appointment to a position in the competitive service if there are two or more members of his family already serving in the competitive service under career or career-conditional appointments. A family is defined by the Attorney General as persons who live under the same roof with the head of the family and form part of his fireside. When they branch out and become heads of new establishments, they cease to be part of the old family. Minors do not establish another family merely by living at an address different from that of their parents. An appointment is illegal if the appointee is disqualified by the members-of-family restriction.

II. APPOINTMENTS ARE SUBJECT TO INVESTIGATION

Section 3(a) of Executive Order No. 10450 of April 27, 1953, provides in part that: "The appointment of each civilian officer or employee in any department or agency of the Government shall be made subject to investigation."

Civil Service Rule V authorizes the Commission to issue instructions as to discipline or separation whenever it finds "that an appointment has been made in violation of the Civil Service Act, Rules or Regulations, or that any employee subject thereto has violated such Act, Rules or Regulations, or is holding a position in violation thereof."

An employing agency may remove an employee for such cause as will promote the efficiency of the service or where the employee's retention in employment is inconsistent with the interests of the national security (see section III).

III. SUBVERSIVE ACTIVITY AND NATIONAL SECURITY

Section 1 of Public Law 330, 84th Congress, approved August 9, 1955, provides that "no person shall accept or hold office or employment in the Government of the United States or any agency thereof, including wholly owned Government corporations, who—

"(1) advocates the overthrow of our constitutional form of government in the United States;

"(2) is a member of an organization that advocates the overthrow of our constitutional form of government in the United States, knowing that such organization so advocates."

Except for persons employed by the Government of the United States for less than 60 days for sudden emergency work involving the loss of human life or the destruction of property, Public Law 330 provides that everyone entering Federal employment must execute an affidavit to the effect that his employment does not and will not constitute a violation of section 1 thereof. Regardless of whether he has executed such an affidavit, any officer or employee of the United States Government or any agency thereof who advocates the overthrow of our constitutional form of Government or knowingly belongs to an organization which so advocates is guilty of a felony and subject to a fine of not more than $1,000 or imprisonment for not more than one year and a day, or both.

Section 8(a) of Executive Order No. 10450 of April 27, 1953, as amended, provides:

"The investigations conducted pursuant to this order shall be designed to develop information as to whether the employment or retention in employment in the Federal service of the person being investigated is clearly consistent with the interests of the national security. Such information shall relate, but shall not be limited, to the following:

"(1) Depending on the relation of the Government employment to the national security:

(i) Any behavior, activities, or associations which tend to show that the individual is not reliable or trustworthy.

(ii) Any deliberate misrepresentations, falsifications, or omission of material facts.

(iii) Any criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, habitual use of intoxicants to excess, drug addiction, or sexual perversion.

(iv) Any illness, including any mental condition, of a nature which in the opinion of competent medical authority may cause significant defect in the judgment or reliability of the employee, with due regard to the transient or continuing effect of the illness and the medical findings in such case.

(v) Any facts which furnish reason to believe that the individual may be subjected to coercion, influence, or pressure which may cause him to act contrary to the best interests of the national security.

"(2) Commission of any act of sabotage, espionage, treason, or sedition, or attempts thereat or preparation therefor, or conspiring with, or aiding or abetting, another to commit or attempt to commit any act of sabotage, espionage, treason, or sedition.

"(3) Establishing or continuing a sympathetic association with a saboteur, spy, traitor, seditionist, anarchist, or revolutionist, or with an espionage or other secret agent or representative of a foreign nation, or any representative of a foreign nation whose interests may be inimical to the interests of the United States, or with any person who advocates the use of force or violence to overthrow the Government of the United States or the alteration of the form of government of the United States by unconstitutional means.

"(4) Advocacy of use of force or violence to overthrow the Government of the United States, or of the alteration of the form of government of the United States by unconstitutional means.

"(5) Membership in, or affiliation or sympathetic association with, any foreign or domestic organization, association, movement, group, or combination of persons which is totalitarian, Fascist, Communist, or subversive, or which has adopted, or shows, a policy of advocating or approving the commission of acts of force or violence to deny other persons their rights under the Constitution of the United States, or which seeks to alter the form of government of the United States by unconstitutional means.

"(6) Intentional, unauthorized disclosure to any person of security information, or of other information disclosure of which is prohibited by law, or willful violation or disregard of security regulations.

"(7) Performing or attempting to perform his duties, or otherwise acting, so as to serve the interests of another government in preference to the interests of the United States.

"(8) Refusal by the individual, upon the ground of constitutional privilege against self-incrimination, to testify before a congressional committee regarding charges of his alleged disloyalty or other misconduct."

Affidavit B on the attached page, to which you are required to swear (or affirm), covers the provisions of Items (1) and (2) of Section 1 of Public Law 330 and of Executive Order 10450.

IV. STRIKING AGAINST THE FEDERAL GOVERNMENT

Section 1 of Public Law 330, 84th Congress, approved August 9, 1955, provides that "no person shall accept or hold office or employment in the Government of the United States, or any agency thereof, including wholly owned Government corporations, who—

"(3) participates in any strike or asserts the right to strike against the Government of the United States or such agency; or

"(4) is a member of an organization of Government employees that asserts the right to strike against the Government of the United States or such agencies, knowing that such organization asserts such right."

Except for persons employed by the Government of the United States for less than 60 days for sudden emergency work involving the loss of human life or the destruction of property, Public Law 330 provides that everyone entering Federal employment must execute an affidavit to the effect that his employment does not and will not constitute a violation of section 1 thereof. Regardless of whether he has executed such an affidavit, any officer or employee of the United States Government or any agency thereof who violates the provisions of Section 1 (3) and (4) of Public Law 330 is guilty of a felony and subject to a fine of not more than $1,000 or imprisonment for not more than a year and a day, or both.

Affidavit C on the attached page, to which you are required to swear (or affirm), pertains to these provisions against striking against the Government.

V. HOLDING STATE OR LOCAL OFFICE

Federal employees are prohibited from accepting or holding an office or position under State, territorial, county, or municipal governments. There are certain specific exceptions. They are published in Civil Service Commission Pamphlet 20. Before any person appointed to the Federal service accepts or continues to hold any office or position under a State or local government, the matter should be presented to the agency in which he is employed for a decision as to whether he properly may accept or continue to hold such office or position.

VI. POLITICAL ACTIVITY

The terms of the act of August 2, 1939 ("Hatch Act"), as amended, prohibit officers and employees in the executive branch of the Federal Government from using official authority or influence for the purpose of interfering with an election or affecting the result thereof. Further, such officers and employees are prohibited from taking any active part in political management or in political campaigns. These prohibitions apply not only to permanent employees, but also to temporary employees, substitute employees, and employees on leave of absence with or without compensation. Political activity identified with any political party in any election is prohibited.

Some of the forms of forbidden political activity are:

1. Serving on or for any political committee, party, or other similar organization, or serving as a delegate or alternate to a caucus or party convention.

2. Soliciting or handling political contributions.

3. Soliciting sale of or selling political party dinner tickets.

4. Serving as officer of a political club, as member or officer of any of its committees, addressing such a club or being active in organizing it.

5. Serving in connection with preparation for, organizing, or conducting a political meeting or rally, addressing such a meeting, or taking any other active part therein except as a spectator.

6. Engaging in activity at the polls (at primary or regular elections), such as soliciting votes, assisting voters to mark ballots, or transporting or helping to get out the voters on registration or election days.

7. Acting as recorder, checker, watcher, or challenger of any party or faction.

8. Serving in any position of election officer in which partisanship or partisan political management may be shown.

9. Writing for publication or publishing any letter or article, signed or unsigned, soliciting votes in favor of or against any political party or candidate.

10. Becoming a candidate for nomination or election to office, Federal, State, county, or municipal, which is to be filled in an election in which party candidates are involved.

11. Distributing campaign literature or material.

12. Initiating or circulating political petitions, including nomination petitions.

13. Engaging in political conferences, or canvassing a district or soliciting political support for a party, faction, or candidate.

14. The law is designed to prohibit those subject to it from assuming political leadership or becoming prominently identified with any political movement, party, or faction, or with the success or failure of any candidate for election to public office in a partisan political campaign.

General statements as to certain activities which are considered as permissible on the part of Federal officers and employees:

1. *Voting.*—The direct language of the law specifically provides that all such persons retain the right to vote as they may choose.

2. *Expression of opinions.*—The right to express political opinions is reserved to all such persons.

NOTE: This reservation is subject to the prohibition that such persons may not take any active part in political management or in political campaigns.

3. *Contributions.*—It is lawful for any officer or employee to make a voluntary contribution to a regularly constituted political organization, provided such contributions are not made in a Federal building or to some other officer or employee within the scope of the act referred to above.

4. *Political pictures.*—It is lawful for any officer or employee to display a political picture in his home if he so desires.

5. *Badges, buttons, and stickers.*—While it is not unlawful for an officer or employee to wear a political badge or button or to display a political sticker on his private automobile (except where forbidden by local ordinance), it is felt that it is inappropriate for any public servant to make a partisan display of any kind while on duty, conducting the public business.

Persons appointed to positions in the executive branch of the Federal Government are warned that the penalty for an established violation of the above-mentioned political activity prohibitions is immediate removal from the service or suspension without pay for not less than 90 days.

VII. OTHER OFFENSES WHICH ARE PUNISHABLE BY FINE OR IMPRISONMENT

Certain other statutes prohibit Federal officers and employees from engaging in various activities under penalty of fine or imprisonment, or both. The activities prohibited by such statutes relate to such matters as political assessments, political coercion and discrimination, and purchase and sale of office. The text of these statutes is set forth in Civil Service Commission Pamphlet 20.

Some of the activities prohibited under penalty of fine or imprisonment, or both, are as follows:

1. Solicitation or receipt of political contributions by one officer or employee from another.

2. The giving or handing over of a political contribution by one employee to another.

3. Solicitation or receipt of political contributions in a Federal building by any person, whether or not an employee of the Government.

4. Solicitation or receipt by any person of political contributions from any person receiving any benefit under any act of Congress appropriating funds for relief.

5. Solicitation or receipt of anything of value, either for personal reward or as a political contribution, in return for the use of, or the promise to use, influence to secure an appointive office under the United States.

6. Payment, or the offer of payment, for the use of influence in securing appointive office under the United States.

7. Promising employment, compensation, or other benefit made possible by act of Congress as consideration or reward for political activity.

8. Discrimination by an officer or employee in favor of, or against, another officer or employee on account of political contributions.

9. Depriving any person on account of race, creed, or color, or political activity, of compensation or other benefit made possible by any act of Congress appropriating funds for relief.

10. Disclosure for political purposes of any list or names of persons receiving benefits under an act of Congress appropriating funds for relief and the receipt of such a list for political purposes.

VIII. PROHIBITION AGAINST DISCRIMINATION

Appointing officers are required to act on all personnel matters solely on the basis of merit and fitness and without regard to race, color, religion, national origin, marital status, or political affiliation.

IX. INSTRUCTION OF APPLICANTS

Officers and employees of the Government are prohibited from instructing or teaching with a view to the special preparation of any person for civil-service examinations.

EQUAL EMPLOYMENT OPPORTUNITY CONFERENCE

MOBILE, ALABAMA - MAY 19 & 20, 1966

1. Do educational problems of minorities reside exclusively within institutions of learning? If not, why not?

2. Name five ghetto characteristics and show how they are interrelated.

3. What basic factors determine acceptance or rejection of a minority?

4. Define the terms (1) assimilation, (2) amalgamation, and (3) cultural pluralism.

5. In what way does past earning power affect present ability to find better employment?

6. Give one example each of stereotypes which are based upon national origin, race and religion.

7. What resources are available to a minority group member who has been discriminated against in employment?

8. Within the local community, are matters of public school desegregation the sole responsibility of educators? If not, why not?

9. What financial practices result in segregation or isolation?

10. Identify and explain three ways in which attitudes, either discriminatory or non-discriminatory, are formed by workers with reference to their acceptance or rejection of minority group employees.

11. What, besides prejudice, may cause one to discriminate unjustly? Can one be prejudiced without discriminating, and vice versa?

12. In what ways are minority group members less secure economically than are whites?

13. Of what significance are differences of scholastic aptitude to the educational problems of minorities?

14. What are some of the effects of a ghetto on its host city?

15. What are some of the changes in our economy that affect employment opportunities for minority groups?

16. Of what significance are social and economic differences to the educational problems of minorities?

17. What can credit organizations (credit unions, insurance companies, banks, savings and loan associations, etc.) do to help the minority population in its effort to improve its economic and social situation?

18. What can we do to provide decent, safe and sanitary housing for all people?

19. Name and explain four ways in which members of minority groups may react to discrimination.

20. How can community leaders (which includes postal officials) contribute to the improvement of educational opportunity of all children?

POST OFFICE DEPARTMENT
BUREAU OF PERSONNEL
WASHINGTON, D.C. 20260

June 9, 1966

Mr. Emory Via, Director
Labor Program
Southern Regional Council
5 Forsythe Street, N. W.
Atlanta, Georgia 30303

Dear Mr. Via:

Our fingers are crossed but we are very hopeful that the program of understanding and education as a basis for developing an affirmative action approach to equal employment opportunity will be successful. We are sincerely indebted to you for the very major contribution made to our personnel officers.

The end of the conference feedback indicated genuine appreciation for the educational approach to the reasons for requesting each personnel officer to pursue an aggressive program internally and externally to achieve equality.

Our job now will be to give back-up, encouragement and support to those who begin a real program.

Your help has been tremendous and I thank you for the thoughtful presentation, the patient explanations and the manner in which you grasped and held your audiences' attention.

Enclosed is a blank travel voucher. If you will sign in the space marked with an "X", this office will complete and submit it so that you may be promptly reimbursed for your travel expenses.

Best wishes and fullest appreciation.

Sincerely yours,

Hollis B. Bach

Hollis B. Bach, Director
Employment and Placement Division

June 14, 1966

Mr. Hollis B. Bach, Director
Employment and Placement Divisionn
Bureau of Personnel
Post Office Department
Washington, D. C. 20260

Dear Hollis:

Thanks for the letter regarding my participation in your Mobile conference. I thought it was a good effort and you and your staff are to be congratulated for the time, energy and imaginatoon that went into it. I trust that the further conferences have gone well and that you will receive from them and your other efforts the success which you deserve.

I am returning the travel voucher with my signature for your office to fill out. If it helps, I had local transportation costs totaling $9.00 ($4.00, $2.50, $2.50). Do I understand correctly that the other costs will be covered by a per diem payment?

It was good to meet you and other members of your staff. Please let me know if either I or the Council can be of service to you.

Sincerely,

Emory F. Via
Director
Labor Program

EFV:jb

$28.50 pd. 7/1/66 — including per diem & perhaps transportation charge reported in Mobile ?
E.F.V.

P.O. Mobile

TOPIC OUTLINE

Personnel Officials Equal Employment Opportunity Conference

First Day

8:15 a.m.	Rumor Clinic
9:00 a.m.	The Meaning of Prejudice
10:00 a.m.	The Problems of Acceptance
11:00 a.m.	Education: The Key Factor
12:00 noon	Housing, the Ghetto, the Impact, Where Do We Go?
2:30 p.m.	Credit and Finance
3:30 p.m.	Employment - Getting It and Moving Up
8:30 p.m.	Film - Equal Employment Opportunity

Second Day

8:15 a.m.	Examination
9:00 a.m.	Executive Order 11246 - applied to the Department Appellate Provisions Affirmative Action
9:45 a.m.	Evaluating a Personnel Program
10:15 a.m.	Recruitment
11:00 a.m.	Responsible Personnel Management
1:00 p.m.	The Personnel Officer
2:00 p.m.	The Post Office Department and Automation
2:30 p.m.	Film: Postal Automation

- Finis -

RECRUITMENT

To be effective RECRUITMENT must be based on:

I. PLANNING (FORECASTING ON BASIS OF KNOWN FACTS)

A. PREVIOUS EXPERIENCE

1. Employment records by month over most recent 2 year period.

2. Mail and package volume showing increase and/or decrease by month over 2 year period and impact on labor requirements.

3. Separations by month over 2 year period.

4. Application for employment receipt rates by month over 2 year period.

B. CURRENT KNOWLEDGE

1. Proposed business, real estate and industrial expansion in terms of its effects on community population and mail development.

2. Post Office Mechanization - type, nature of performance, impact on labor force.

3. Establishment of new and expansion or contracting of stations.

II. RECRUITMENT SOURCES AND AIDS

A. BOARD OF EXAMINERS

B. IDENTIFICATION WITH SCHOOLS

1. All high schools in recruiting area

2. Vocational training schools

3. Business schools

4. Junior colleges

5. Colleges and universities

C. ESTABLISHED CONTACTS WITH CIVIC AND OTHER PUBLIC ORGANIZATIONS

1. Service clubs

2. Minority group organizations such as:

   a. Urban League

   b. NAACP

3. City commissions on human relations

4. Public employment services

5. Other federal agencies

6. Organizations:

   a. Federal Executive Board

   b. Federal Business Association

   c. Federal Personnel Association

   d. Public Personnel Association

   e. Society for Personnel Administration

D. PUBLICITY MEDIA

1. Newspapers

2. Radio

3. Television

4. The mail service itself:

   a. Employees

   b. Patrons

E&P

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

newsletter

from the Equal Employment Opportunity Commission

1800 G St., N.W., Washington, D.C. 20506

VOLUME 1, NO. 4 MAY-JUNE 1966

NEWPORT NEWS LANDMARK PACT

Shipyard Case Opens Many New Opportunities

EEOC ARCHITECTS *of the Newport News agreement are, left to right, Alfred Blumrosen, conciliation chief, Kenneth Holbert, conciliation officer, and Herman Edelsberg, executive director.*

The nation's largest shipbuilder has signed an agreement with the Equal Employment Opportunity Commission to provide broad new promotion opportunities for Negroes.

The Newport News Shipbuilding and Drydock Company signed the agreement after six days of intensive negotiations at Commission headquarters in Washington. Representatives of the Department of Defense and the Department of the Navy joined with Commission conciliators in shaping the agreement.

The agreement grew out of employment discrimination charges filed with the Commission by 41 Negro employees under Title VII of the Civil Rights Act of 1964. The Commission had determined reasonable cause to believe Newport News was violating Title VII. The Departments of Labor and Navy also had determined that Newport News was not in compliance with the Executive Order dealing with Federal contracts.

Under the agreement, an outside expert, approved by the Company and the Commission, will evaluate jobs and pay rates in the Newport News plant to determine whether Negroes are being paid the same rates as whites doing the same or substantially equivalent work. Where it is determined that Negroes are being paid discriminatory rates they will be immediately raised to equivalent levels with whites.

A survey of key departments will be made to determine the promotion pattern of whites over past years. The history of Negro promotions will be compared to the white promotion profile and where Negroes have not progressed accordingly, they will be promoted immediately.

At the time of the agreement, Commission Chairman Franklin D. Roosevelt, Jr., said:

"One effect of this agreement will be an increase in pay for hundreds of Negro employees at the Newport News plant. It will also mean widespread promotions for Negroes. An even more far reaching effect will be the application of this agreement as a model for the correction of discrimination in other industries by the Equal Employment Opportunity Commission. In this case, the government spoke with one voice."

The package of remedial programs which the company and the Commission developed was described by Roosevelt as being "not a grudging agreement to stop discriminating, but a model of comprehensive affirmative action to reach and counteract the effects of prior discriminations."

Secretary of Labor W. Willard Wirtz said: "The successful completion of these negotiations resulted from a concerted government effort to make equal employ-

Continued on page 11

SPECIAL ISSUE—The First Year—pages 2-11

EEOC

A SPECIAL ISSUE—THE FIRST YEAR

The Equal Employment Opportunity Commission has been pounding down the track ever since the starting gun was fired on July 2, 1965.

The breathing has been a little heavy at times and there has been some wide swinging on the turns, but this agency, created by Title VII of the Civil Rights Act of 1964, looks as if it might cross the first year finish line without serious injury.

This issue of the EEOC NEWSLETTER takes a look back—and a look ahead.

It sees more than 7000 employment discrimination charges received by EEOC in 10 months where only 2000 were anticipated for the whole first year.

It sees some dramatic landmarks along the way—such as the Bogalusa Dovetailing Principle and the Newport News Agreement.

It sees some of the complexity that was predicted in the part of Title VII which deals with sex discrimination—but none of the bunny girl frivolity that caught the early headlines.

It sees the tremendous reservoir of goodwill—the willingness to comply with the law—that exists in many segments of business, industry and labor . . .

And it ruefully sees the difficulties of getting at discrimination directed against the Mexican-American and Spanish-speaking minorities in the United States.

The nuts and bolts of the line operations are described briefly in this Newsletter.

The Commission lost its chairman to the New York Governor's race, but he left his mark of leadership on the first 10 months.

Each of the Commissioners expresses his feelings about the accomplishments, shortcomings, and future goals and needs of this agency's leading part in the battle to end discrimination in employment practices.

From a sudden and unrehearsed start, the Equal Employment Opportunity Commission has come a long, if sometimes bumpy way. It is on the threshhold of even tougher problems, more demanding challenges, and hopes to have a little better budget to keep it abreast of the vote of confidence given it by the public in all parts of the Nation. ■

COMPLIANCE

7,000 COMPLAINTS FLOW IN

More than any other division of EEOC, the Office of Compliance has felt the strain of short budget and staff during the Commission's first 10 months.

"Compliance" is where the action starts—and keeps on and on and on.

Charges of employment discrimination arrive in the Office of Compliance. They are analyzed there. If they appear to have grounds, they are investigated from there.

When the investigation is completed, and the Commission finds cause, the charge comes back to Compliance and the Conciliation Section moves into action.

Picture a staff budgeted for on the basis of 2000 complaints in a year—confronted with more than 3000 charges in the first six months—and 7000 by the 10-month mark.

Compliance has operated with no more than 45 investigators—all but 20 on loan from other agencies—when it should have had almost 100 to keep ahead of the avalanche.

In spite of it, these figures show what has been done:

In the first 10 months, the Commission received 7,060 charges of discrimination in employment. These cases were analyzed as follows:

Probable jurisdiction (recommended for investigation)	3,074
Deferred for state or local FEP action	686
Returned for additional information	958
Rejected—no jurisdiction	1,809
Closed or withdrawn	533

Investigations have been completed on 1,220 of the 3,074 cases recommended.

The Commission has found cause to believe there is a violation of Title VII in 517 of these cases and sent them to the Conciliation Section. No cause has been found in 218 of the cases in which investigation is complete. Eighty-two cases have been closed during investigation and 403 are pending a finding before the Commission.

Of the cases where cause has

been found, 70 have been successfully conciliated. Thirty more are nearing conciliation. In 25 cases, conciliations have been designated "unsuccessful," either because signed agreement was not achieved, or all of the counts charged were not resolved. But in most of these cases, substantial accomplishments have been made.

The Compliance Division is expanding its staff as rapidly as the supplemental appropriation will permit. It hopes to have 96 investigators on full-time staff soon. The Division hopes that this will enable it not only to catch up with the backlog, but to stay even with the flow of charges that continues to come to the Commission. ■

GEORGE HOLLAND, *director of compliance, outlines a problem. Richard Berg, deputy general counsel, right, and Win Newman, special assistant to the executive director, left, concentrate on it.*

TECHNICAL ASSISTANCE

Working with Business and Labor

EEOC's Office of Technical Assistance is in business to put the Commission's complaint-handling departments out of business.

OTA offers business, industry and labor an assortment of Do-It-Yourself programs designed to accomplish compliance with Title VII and to open up new job opportunities at every level through voluntary affirmative action.

OTA operates on the principle that most business leaders want to comply with the law, not only as a matter of avoiding the costly and time-consuming complaint route – but also as a matter of good will and conscience. This reservoir of good will is demonstrated by community equal employment opportunity councils – many of which were established before Title VII became law. OTA tells leaders of business and industry how such councils can be set up and furnishes guidelines.

There is a widely-held opinion that equal employment opportunity is good business. OTA has compiled information from those who practice it and presents this in a booklet designed to show that it is, indeed, good business.

OTA's "How-To" program underlines the need for active recruiting, job training, and liaison and cooperation with civil rights groups.

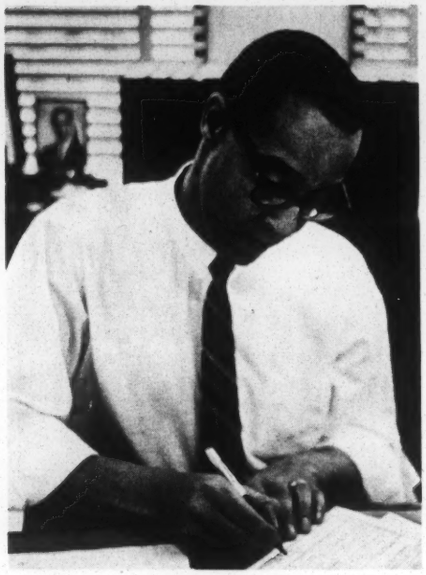
Another OTA program is designed for new and expanding plants. It aims at giving minority groups employment opportunities before hiring patterns have been set.

In situations where EEOC's conciliation officers go to work on active charges, OTA offers educational and technical support for affirmative action beyond the resolution of those specific charges.

OTA works with a climate of cooperation and seeks to extend the beneficial effects of such a climate. Through personal contacts, speeches and seminars with employer groups, at business and trade association meetings and conventions, OTA spreads the word: "Equal Employment Opportunity is Good Business." The final word, of course, must be spoken by business, industry and labor. Technical Assistance can only tell them "How."

It is not too much to suggest that the technical assistance side of the Commission's operation consists largely of persuading laggard companies and unions to adopt the practices of the most progressive and successful employers and labor unions. ■

ROGER McKENZIE *listens as Frank Caracciolo talks at a technical assistance session.*



CHARLES T. DUNCAN, *General Counsel, uses shirtsleeve approach to an EEOC legal question.*

GENERAL COUNSEL

INTERPRETING THE LAW

The General Counsel is probably the most talked-to office in EEOC. The five attorneys measure just about every question that comes before the Commission—from specific charges all the way to broad policy decisions—by the yardstick of Title VII.

An unusual amount of time in the General Counsel's shop has been called for on matters relating to the sex provisions of Title VII. What became law with very little legislative history has moved through the opening forays of bunny-girl frivolity into the serious realm of seniority, retirement, bona fide occupational qualification, and other issues. Guidelines for solution of conflicts between state protective laws for women and the sex provisions of Title VII is a current and future project undertaken by General Counsel.

In the course of dealing with these and other questions, General Counsel has prepared some 150 memoranda and written some 750 opinion letters. The office also has published a digest of legal interpretations and one supplement. Another supplement is in preparation.

General Counsel reviews all private suits filed under Title VII to determine whether to file briefs or intervene; reviews cases for submission to the Attorney General for possible civil action; drafts Commission guidelines (i.e. help-wanted ads) and proposals for guidelines (i.e. religious discrimination).

General Counsel also has a big hand in: legislative proposals; conciliation agreements; and Commission hearings on broad issues such as seniority. A longer-range project is the publication of a detailed interpretive analysis of Title VII. ■

SEGAL SMILES—*EEOC's Liaison Director, Ben Segal, wouldn't let a turned ankle keep him from the swift completion of his appointed rounds. Pressed for a statement, Segal said: "It happened on the tennis court."*

LIAISON

FEDERAL, STATE AND LOCAL

Equal Employment Opportunity doesn't exist in a vacuum. Other vital issues such as housing, education, public accommodations, voting rights—all interact upon the problems of fair employment. Liaison with agencies concerned with these areas is an important part of EEOC's effort.

And on the specific issue, EEOC isn't the only agency in the business of assuring fair employment practices. There are other Federal agencies whose jurisdiction sometimes overlaps that of EEOC, such as the OFCC which covers government contractors. There are 31 states and two cities to which the EEOC has agreed to defer action on discrimination complaints. There are conflicts between state and Federal law and the problems of resolving such conflicts.

The EEOC's Office of Liaison undertakes to keep lines of communication open between these numerous jurisdictions and agencies, hoping that left hands will be kept aware as much as possible of what right hands are doing.

Steps in this direction include a Memorandum of Understanding (between EEOC and state FEP agencies); administration of grants for research projects through private organizations; exchanges of ideas about fair employment problems through regional meetings and through direct contact with state and local FEP's.

The Memorandum of Understanding was drafted by EEOC and is under consideration by state and local FEP organizations. It outlines standard agreements on procedure in connection with employment discrimination complaints and deferral by EEOC to state agencies.

EEOC played a leading role at regional meeting of state FEP agencies at Providence, R. I., which included representatives from New England and Middle Atlantic States.

Eleven state and municipal FEP agencies are sharing in a $165,000 grant provided by EEOC to Wayne State University to research patterns of discrimination in employment. The EEOC Liaison Office is working out a two-year program for promotion of common Federal, state and local fair employment projects for which $900,000 has been requested from Congress for Fiscal 1967.

EEOC policy decisions, news

developments, legal opinions, and other information are sent regularly to state and local organizations and EEOC receives information in turn from the state groups. ■

CAPITOL HILL *is the precinct of William Kendrick, EEOC's director of congressional liaison, and his secretary, Clare Soponis.*

LIAISON

CONGRESS AND THE PUBLIC

Telling the story of Title VII and the Commission is a responsibility shared by all the Commissioners and staff.

It is the particular assignment of the Liaison Office when it comes to inter-agency and federal-state communications. It is the particular assignment of the Congressional Relations office of EEOC in terms of keeping 100 Senators and 435 Congressmen advised of programs and needs of the EEOC.

And as a matter of general public information, the story of Title VII and the EEOC is a particular responsibility of the Public Affairs office of EEOC.

The Congressional Relations office has handled more than 1500 written and phone requests from Members of Congress, their staffs and committee personnel. Contact has been maintained with the appropriate legislative and appropriations committees on matters relating to EEOC activities.

The Commission's supplemental request for funds has been approved in the amount of $500,000, making a total appropriation of $3,250,000 for 1965-66. Legislation which would widen the Commission's jurisdiction over employers and unions and provide enforcement powers beyond the present conciliation authority has passed the House. Similar legislation is under consideration in the Senate.

Working with Public Affairs, Congressional Relations has arranged for the appearance of Commissioners and radio and television programs of Senators and Congressmen and numerous articles about the EEOC activities have appeared in Congressional newsletters.

Public Affairs has issued 117 general press releases on EEOC actions, guidelines and statistics. Public Service spot announcements about the Commission were prepared and recorded by Public Affairs and distributed to all radio and television stations in the United States. Return advice from more than 10 per cent of these stations show that the television spots have been used at least 56,659 times and the radio spots at least 54,707 times.

A general Fact Pamphlet about Title VII and the Commission and other information about Commission activities was prepared and distributed by Public Affairs to the general public, trade associations and press, radio and television.

Three Newsletters prior to this issue have been written, published and distributed by Public Affairs. ■

RESEARCH

SEEKING ANSWERS FROM FACTS

When it comes to Government Forms To Be Filled Out, it might be said the EEOC Research Division is the Businessman's Best Friend.

Replacing Standard Forms 38, 40, 40A, 41 and EEO-10 is the new joint reporting form for employers

JUST A FEW *of the thousands of EEO-1 Employer Reporting Forms which have come into Washington are tackled by Herbert Hammerman, chairman of the Joint Reporting Committee, and Betty Reynolds of the EEOC research division.*

which will serve EEOC, the Office of Federal Contract Compliance and Plans for Progress.

The name of the new form is "Standard Form 100 Equal Employment Opportunity Employer Information Report EEO-1," which is a mouthful but at least employers can now tell it all in four pages.

More than 35,000 employers have done so as of the deadline of April 30 and some stragglers are expected to bring the total up. The data submitted on EEO-1 (there, you see it wasn't hard to say, was it?) will be processed by the Bureau of the Census. This information will be used by EEOC in technical studies of employment practices in selected geographical areas and industries.

The Office of Research has also pulled together a study of testing procedures used in employment and is looking for a full-time expert to add to the staff to work in this field. Meanwhile, a consultant from the Department of Labor is on detail to EEOC one-day a week for preliminaries.

Other study projects the Office of Research is undertaking include: a profile of the Mexican-American worker; dynamics of equal employment opportunity and the economic status of the Negro worker. ■

ADMINISTRATION

KEEPING HOUSE FOR EEOC

If there's a beef about the way the elevators are working at EEOC headquarters in Washington—it goes to the Office of Administration.

And when the Commission wants to beef up the budget request to take care of the flood of business—that's the business of the Office of Administration, too.

Administration takes on its big jobs and little jobs with plegmatic calm. If you want a typewriter or a typist, a desk or a directive, office space in Atlanta or an order for

JOHN EBERLE *ponders an administrative problem posed by one of his staff.*

printing—just call Administration. They'll manage it.

During the first year of EEOC, here are some of the things that the Office of Administration has managed:

More than 7,500 employment applications were evaluated. By early May 157 employees were in headquarters and 17 were assigned to new field offices in Atlanta, Chicago and Dallas.

Off and on since last July, 75 investigators have been borrowed from 26 state and federal agencies until the supplemental appropriation enables EEOC to bring its own staff of investigators up to full strength.

The Fiscal 1967 budget request for $5,870,000 is now under Congressional review. Office of Administration put together the nuts and bolts of it to present to Congress.

In the months ahead, opening and staffing the remaining field offices is the biggest assignment of this office. ■

REGIONAL OFFICES

THE COMMISSION MOVES TO THE FIELD

Regional offices are operational in Atlanta, Dallas and Chicago. Recruitment for additional offices is underway. Additional regional offices will be located in Los Angeles, San Antonio, New Orleans and Kansas City. Target date for these offices is June 30.

These offices will employ 149 persons when fully staffed. At present 10 professionals are on detail from other agencies to investigate complaints now before EEOC.

A coordinated field program has been approved by the Commission. This program is now in effect where offices have been activated. It will continue under study and review for possible improvement.

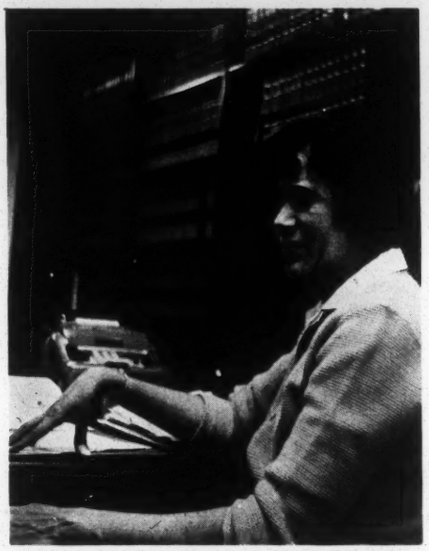
Discrimination complaints, except in cases of special significance, will be investigated and conciliated by field staff under supervision of regional and area directors. Each field director will represent the Commission in the states under his jurisdiction and will report to the Deputy Executive Director in Washington.

In early April, staffs of the Dallas and Atlanta offices underwent one week of training. The program emphasized the Commission's philosophy and objectives in respect to Title VII; investigation and conciliation techniques; report requirements and special problems. These programs will be continued and revised as new problems occur. ■

WALTER DAVIS, *deputy regional director, oversees field operations.*

MARGARETTA BELL, *EEOC's Executive Secretary, includes among her responsibilities assignment of thousands of pieces of mail for action and the operation of the Speaker's Bureau. Since last July, Commissioners and Senior Staff have accepted 482 invitations to tell of the work and objectives of EEOC in 148 major cities in 42 states.*

SALLY BOYD *is the gal to see at EEOC when you want to get a job done—be it mimeographing, printing, message-carrying, bill-paying, or getting the air-conditioning turned on or off.*



MRS. BERTHA NEWMAN *manages the EEOC Library—from lawbooks to newspapers.*

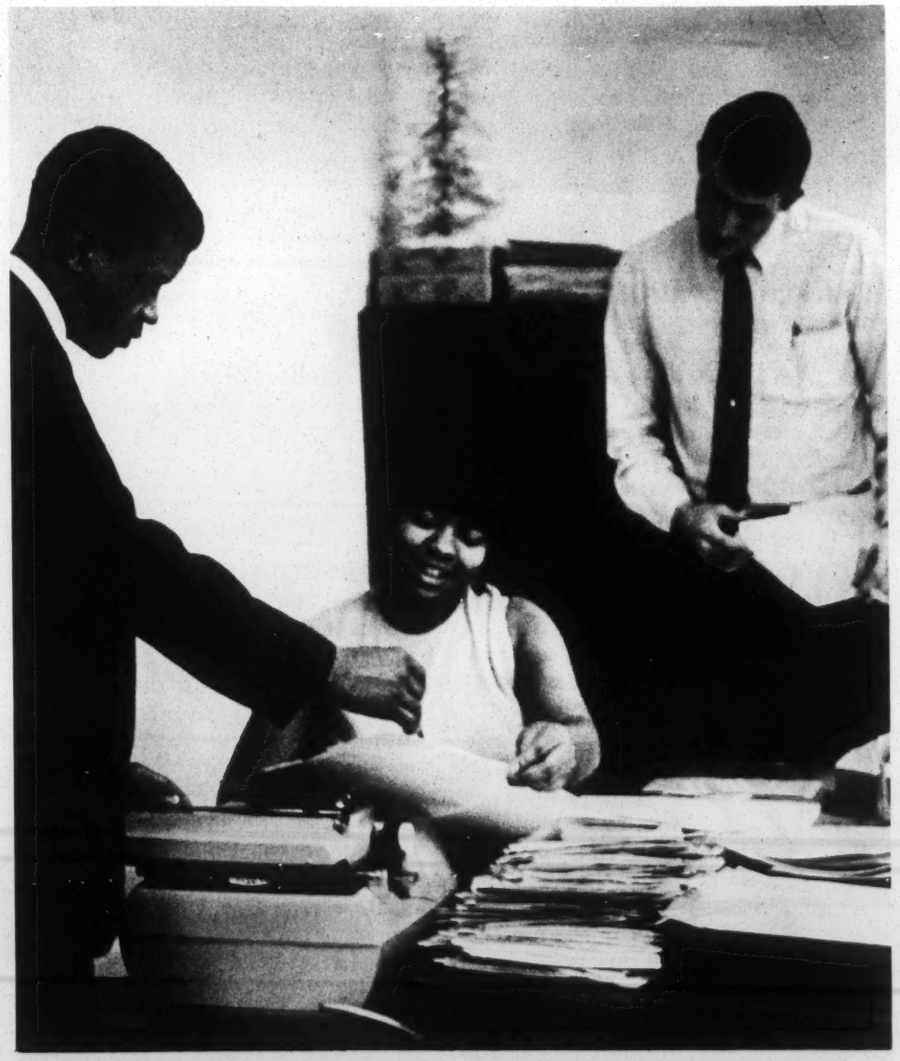
HOW TO FILE A COMPLAINT

The Equal Employment Opportunity Commission was established by Title VII of the Civil Rights Act of 1964. The Commission's responsibility is to assure that all in the American labor pool will be considered for hiring, firing and promotion on the basis of their ability and qualifications, without regard to race, color, religion, sex or national origin.

If a person believes that he or she has been discriminated against by an employer, labor organization, employment agency or joint labor-management program, that person may file a complaint with the Commission.

Persons believing a pattern of practice of discrimination exists in their areas may call such pattern to the attention of the Commission. After investigation, the Commission will consider filing a Commissioner's Complaint.

Instructions and complaint forms are available at the Equal Employment Opportunity Commission, 1800 G Street, N.W., Washington, D. C. 20506.



DISCRIMINATION CHARGES *come to the EEOC through the Compliance Division's Control Unit. Left to right: Everett Crosson, Tyese Flood and Keith Lyman discuss routing of a charge.*

FRANKLIN D. ROOSEVELT, JR.

On May 11, Franklin D. Roosevelt, Jr. handed his resignation as chairman of the Equal Employmen Opportunity Commission to President Johnson and announced the next day as a candidate for the Democratic nomination for governor of New York. Stepping down from the helm after guiding the Commission in its first 10 months, Mr. Roosevelt expressed his impressions in the following statement:

I am proud of the progress that has been made by the Equal Employment Opportunity Commission in its first year.

We have helped to bring about new employment attitudes and practices in many areas throughout the South – in retail and department stores and taxicab companies, in famous New Orleans restaurants and in public service establishments – and in major industry after industry in all sections of the U. S.

The Newport News Shipbuilding Company settlement is probably the most comprehensive and far-reaching solution ever achieved in a job discrimination case. Thousands of Negro employees were brought up to the starting line – for promotion and for pay – to remedy past discrimination in the country's largest shipyard.

In Bogalusa, a strife-torn, Klan-ridden community, the principle of horizontal merging of segregated lines of promotion was established by the Commission, the Crown-Zellerbach Paper Company and the International Paperworkers and Papermakers Union. We sat down for three hours at a table and hammered it out. We not only settled a stubborn seniority problem; we improved the race relations climate in the community.

Title VII of the Civil Rights Act of 1964 did not create new responsibilities for the major employers in the nation, except, perhaps, in respect to sex discrimination. These employers have been subject to fair employment practice laws for years in many states. If they were Government contractors they were committed to avoid discrimination and, indeed, to engage in affirmative action to provide equal opportunity in employment.

But Title VII *WAS* the first Congressional declaration in the employment field. It followed a

The EEOC Commissioners Look Back At The

long and dramatic Civil Rights struggle that overcame fire hoses, police dogs and an 83-day filibuster. Thus it assumed an importance beyond the letter of its modest law.

Those who designed the Commission budget estimated that we would receive 2000 complaints in our first year. We stand today six weeks away from our first year in business and already the Equal Employment Opportunity Commission has been deluged with more than 7000 complaints.

This is striking testimony to the confidence minority persons have in this Commission. Title VII is an article of faith throughout the land, a bright light toward which the disadvantaged in every walk of our life have turned.

The Commission has conciliated 70 charges brought against 28 respondents and 30 more are nearing solution. In most of the 25 charges against eight respondents where we must say that our efforts were "unsuccessful" – because every count was not resolved or signed agreement was not accomplished – correction of many of the issues was nevertheless achieved.

In all 14 court cases which have been filed by charging parties to protect their rights to file, none has been brought to trial as we continue conciliation efforts.

For all sorts of reasons major segments of business, industry and labor have shown they are anxious to comply with the new law and the national policy it propounds – a fair chance for all at a job or a promotion, regardless of race, color, religion, sex or national origin. Business and labor are concerned about public image, but more than that, they are responding to the law because it is right and because there is in this country a basic reservoir of good will based upon that rightness. For those segments which persist in discriminating, we have asked for new laws with more powers. Happily, the House has already passed the Hawkins bill which I advocate and the President has asked the Senate to follow suit.

Discrimination in employment practices, of course, has not been wiped out by the Commission and Title VII. In many places discrimination is still deeply rooted in habit and custom. But the gates to opportunity have been opened by this new law and the momentum of positive accomplishment will keep Americans moving through these gates more and more and more as this Commission and this Administration continue to pursue their convictions with dedication and resolve. ■

First Year—And Ahead to the Future

DR. LUTHER HOLCOMB

The concept of affirmative action, which seeks through Title VII to urge employers, unions, and employment agencies to go beyond the letter of the law and grasp its spirit, is basic to my philosophy of equal employment opportunity.

If we are to build on the experience and achievements of government—both state and federal; management and labor as well as that of civil rights and civic leaders, we must exercise care not to retread steps that were taken a decade ago, or even last year. This means to me that the Equal Employment Opportunity Commission must not only take remedial action as evidenced by our complaint adjustments, but must "look ahead" if the word "progress" is to have meaning in the 1960s.

Faced with modern technological requirements, manpower skills of minority groups must be drastically upgraded. This means training and education, much of it on-the-job, to fill the present need for manpower.

Once we have reversed the spiral of futility of low income, poor health, low educational attainment and consequently low employability—we will then have attained the opportunity to be equal.

As we look into the future and at the expanding goals of the Equal Employment Opportunity Commission, our affirmative action programs will have opened the doors for all qualified citizens to participate in the mainstream of American economic life. It is at this point that the combined efforts of government, business and labor to remove barriers to employment opportunities; of parents and civic groups to lift aspirational levels; and of educators and civil rights leaders to provide basic skills and stimulation, will begin to harvest the real fruits of equal opportunity. ■

RICHARD A. GRAHAM

The EEOC through key cases and through cooperative efforts with business and labor groups has made clear what is expected under Title VII and how to do it.

In its first year the Commission received four times the number of charges of discrimination that had been predicted—some 8,000 in all. It has set up field offices and a headquarters staff to handle them.

Often case work has been the trigger for affirmative action programs—the extra efforts needed to overcome the traditional discrimination that prevents true equality of job opportunity.

The Commission has brought together the nation's leading research authorities on racial discrimination for guidance. Top business and labor leaders have met with the Commission to work out revisions to bargaining agreements that have held captive the victims of past discrimination. The Justice Department has been requested to bring suit in the few cases where employees have resisted compliance and private suits have been brought where the Commission has been unable to conclude conciliation.

The Commission is now receiving reports on the work forces of all employees covered by the Act—reports that businessmen say are as important to management in assessing job equality performance as inspection reports are in controlling quality.

Though few jobs can be performed only by a man or only by a woman, hundreds of thousands of jobs are still classified by sex. Twenty per cent of Commission cases charge sex discrimination and employers and unions alike have generally accepted the idea that in a society where most women will work outside the home, equality of work opportunity is fair and is now required. ■

AILEEN C. HERNANDEZ

New techniques must be devised if "equal opportunity" is to be more than a pious pronouncement to America's disadvantaged. Too many years of too many rejections have made the victims of discrimination reluctant to apply and reluctant to complain. Disillusionment, fear, cultural patterns may limit the utilization of government agencies by those most in need of assistance. For example, few Mexican Americans, few women, few Jews, few American Indians have brought formal complaints before this Commission or any local Commission. Yet we know that individuals from all these groups have suffered discrimination. And actually, even though more Negroes have brought complaints, *relatively few have,* in proportion to the problem.

This Commission has a unique opportunity to put President Johnson's concept of "creative federalism" to the test:

1. We can demonstrate that by developing a meaningful, working relationship with state and local FEP agencies, together we can set guidelines, raise standards, and move imaginatively as partners to fulfill our mutual responsibility to end employment discrimination.

2. We can devise a comprehensive rather than a piecemeal attack on job bias—incorporating complaint processing, but going beyond to include affirmative actions to overcome the effects of past barriers.

3. We can plan ahead rather than wait passively to react to the results of discrimination—a Watt's explosion. ■

SAMUEL D. JACKSON

It has become more and more clear since the implementation of the various provisions of the 1964 Civil Rights Act that employment is the vital factor in the struggle for equal opportunity.

The Equal Employment Opportunity Commission is acutely conscious of its responsibility and role in the effort to overcome bias based on race, color, religion, sex or national origin.

Since July 2, 1965, Commission members and staff have tackled a variety of problems springing from unlawful practices. Many of these have been long-standing, deep-seated problems—cemented in tradition and surrounded by a wilderness of stubborn attitudes. Hiring, promotion, referral, testing, segregated facilities, and the extreme complexity of seniority systems are typical problems.

I feel that we have come far this first year toward long-sought goals,

accomplishing some widely-known successes and others which also have deep significance although they may be less newsworthy. In the handling of more than 7000 discrimination charges, we have accomplished many gains for disadvantaged citizens. We must undertake more in the way of industry and community-wide programs to eliminate discrimination patterns which continue to throttle the Negro's full participation in the job market.

Positive compliance—incorporating bold, imaginative programs to implement affirmative action—will contribute much to closing the widening gap between the earnings of white and non-white Americans. The responsibility to make it possible for minority citizens to enjoy the full bounty of America is one we on the Commission hope every other American will share with us. ■

NEW DEAL AT NEWPORT NEWS—*Posting of job vacancies at the Newport News Shipbuilding and Drydock Co. was part of the agreement reached with the EEOC.*

Newport News

Continued from page 1

ment opportunity a fact at this major shipbuilding firm."

Newport News Shipbuilding and Drydock Company builds nuclear submarines, aircraft carriers and other ships for the United States Government. Its contracts with the Government run into billions of dollars. The company employs about 19,000 persons, about 5,000 of whom are Negroes. Its last report to the Government showed that only 32 out of 1997 persons employed in supervisory positions were Negroes. It showed that only 6 out of 506 apprentices enrolled were Negroes.

On March 16, Newport News came to the Equal Employment Opportunity Commission and requested assistance in conciliating the charges against it. Conciliation sessions began on March 22. On March 25, Secretary of Labor W. Willard Wirtz directed all Federal agencies not to award contracts to Newport News until the agencies and the Department of Labor were satisfied that the company was in compliance with the Executive Order requiring equal employment opportunity.

Principal architects of the agreement were Alfred W. Blumrosen, EEOC conciliation chief, and Kenneth Holbert, EEOC conciliator.

Participating in the sessions for the Departments of Defense and Navy were: Jerry Clark, Alan Reeves and Sam Schwartz.

Some of the charging parties have filed a civil suit under Title VII against Newport News through the NAACP Legal Defense and Educational Fund.

Other principal terms of the agreement include:

- immediate promotion of three Negroes who had filed charges to supervisory positions;
- rapid conciliation of the complaints of the other 38 charging parties;
- further opening of all job classifications to all employees without discrimination;
- complete elimination of segregated facilities;
- revision of promotion policies and practices to improve opportunities for qualified Negroes to and within supervisory levels;
- improvement of transfer procedure to other departments for Negroes;
- re-evaluation of Negro employee skills, institution of training programs to develop and improve Negro skills, promotion and pay adjustment on the basis of such evaluation and/or training;
- giving qualified Negroes equal opportunity to apprenticeship programs and actively recruiting for such programs in Negro schools.

The company also agreed to:

Post a non-discrimination policy statement, signed by the president, throughout the Yard and attach it to the paycheck of each full time employee within 30 days of the agreement signing;

Assemble all supervisory employees to read the policy statement to advise them of the terms of the agreement and to instruct them to advise employees in group meetings that a violation of such policy shall result in disciplinary action—including discharge where appropriate;

Make a detailed report to the Commission of actions taken to comply with the terms of the agreement 90 days after signing and each quarter for two years thereafter. ■

WALKER

Phillip Walker, NAACP attorney who represents the charging parties in the Newport News case said:

"This is a long fought for solution. We are grateful to the Equal Employment Opportunity Commission for its vigorous and successful handling of our cases."

HOLDEN

Donald A. Holden, president of the company, said:

"We are proud of our part in working out this agreement. It represents, in our view, an effective and responsible effort by the company and the Commission to further achieve genuine equality of opportunity for Negroes in our yard."

BELTON

Robert Belton, Assistant Counsel NAACP Legal Defense and Educational Fund, Inc., said:

"Exemplary—is our designation of the conciliation agreement between the Newport News Shipbuilding Company and the Equal Employment Opportunity Commission.

"Agreement to promote the Rev. J. C. Fauntleroy, president of the local NAACP chapter, and other complainants, shows the good intentions of the Newport News Shipbuilding Company.

"The firms's additional pledge to end discriminatory hiring and future promotion practices; and, its willingness to end segregated facilities in its plant, shows intention to comply with the spirit as well as the letter of the law . . ." ■

Industry Expert Asks: Do Tests Tell All?

Do psychological tests used in employee selection and upgrading discriminate unfairly against the culturally-deprived?

Dr. Philip Ash of Inland Steel makes some interesting observations on this question in a recent Chicago Merit Employment Committee Newsletter. Dr. Ash is research assistant to Inland's vice president for industrial and public relations. Excerpts of his article follow:

For whatever reason, Negro job applicants as a group consistently score significantly below white job applicants on most of the standardized paper and pencil tests used in selection. For example:

- In the administration of a junior-management civil-service examination to 5,000 white residents of an eastern state, forty per cent earned a qualifying score and were placed on the eligible list. But of 300 identifiable Negro applicants also taking the test, only three per cent made the eligible list;
- Of 100 whites and 100 Negroes taking the General Aptitude Test Battery which is widely used in state employment service offices, the whites made statistically significant better scores on all but one of the twelve tests in the battery even though the two groups were roughly comparable in age, educational attainment, and other personal characteristics;
- A large manufacturer of electronics equipment found that Negro college seniors scored consistently lower than white college seniors on general intelligence tests which the firm used to help select candidates for entry-level management jobs.

But for merit employers, differences in test scores are of value only to the extent that they predict differences in job performance. The central question is: Will an applicant with a low test score perform his job less satisfactorily than one with a significantly higher score? Or is it possible the low scorer can perform his work as competently as the candidate with the higher score?

Unfortunately, at the present time, only a handful of studies have addressed themselves to this key issue. But already the scattering of studies has turned up some interesting results:

- An electronics manufacturer who hired Negroes as programmers, despite their test scores, found they performed satisfactorily even though they did not score as well as the white applicants on the firm's programmer aptitude tests;
- A radio TV Appliance retailer who hired and then trained a group of Negroes deemed "unemployable" by standard aptitude and sales ability tests found that in fourteen out of the sixteen test cases the Negroes did better than had been predicted by the sales aptitude tests. Moreover, ten of the Negroes turned in actual job performances which were better than the expected performance level of all new employees;
- A study of Negro college students from culturally deprived environments revealed they did much better in college than would have been expected from their college entrance test scores;

- Of a group of sixty-six Negro students who were graduated with honors from a North Carolina college, fifty-eight would not even have been admitted to the school had the usual norms of college entrance tests been applied to them;
- A study of Negro and white highway toll collectors showed that the Negroes achieved supervisory performance ratings which were identical to those of the whites even though they had scored significantly lower on a mental-ability test used for selection.

Studies such as these—and others now underway—may well have profound implications for merit employers. True—a test may serve as an accurate predictor of job performance for an applicant who was born into and educated in the predominant, white, highly verbal culture in the United States. At the same time, it is becoming increasingly clear that these tests may not be as accurate an indicator of possible job success for an applicant who has not shared—or shared only partially—in this culture.

What is needed is more information about the relationship between test performance and cultural deprivation on the one hand and job performance on the other. This relationship must be studied both for non-white and white job applicants, and only those psychological tests used which validly predict job performance for both groups.

Right here allow me to caution against setting cutoff test scores based only on the performance of present employees. Unless this employee group includes a fair representation of minority-group workers—and unless it can be demonstrated that there is a clear relationship between test performance and job performance for these employees—there is no assurance that the test will not screen out minority-group workers in some way not truly related to their possible job performance.

The Ford Foundation currently is supporting an extensive research program to study the relationship between test performance and race both for white and non-white applicants. Meanwhile, until more of the facts are in, personnel managers may well wish to use their tests with renewed discretion, realizing that the possibility exists that applicants who have not shared in the dominant, white, middle-class verbal culture may give a significantly false impression of their real job potential. ■

MEXICAN-AMERICAN PROBLEMS *were discussed at a recent meeting at EEOC Headquarters in Washington. Right to left: Vice-Chairman Holcomb; Commissioner Hernandez; Augustine Flores, national president, American GI Forum; and Commissioner Jackson.*

EEOC ADOPTS TESTING GUIDELINES

The Commission has adopted six testing guidelines designed to help employers establish objective standards for selection, screening and promotion of workers.

These recommendations were offered in a paper on testing prepared by Dr. Phyllis Wallace, Beverly Kissinger and Betty Reynolds of EEOC's Research Division. The guidelines are:

1. Job descriptions should be examined and their critical requirements established before tests are selected for screening applicants.

2. Tests used should be those developed by reputable psychologists. Such tests should be administered by professionally qualified personnel who have had training in occupational testing in an industrial setting.

3. Rigidly inflexible minimum scores should be re-examined in light of the considerable research underway on differential selection.

4. Test scores must be considered as only one source of information and must be combined with other available information on performance, such as motivation, leadership, organizational experience, self-sufficiency and dependability.

5. Tests should be validated within the setting where they will be used. Validation should be for as many separate groups as possible in preference to one large heterogeneous group.

6. It may be advisable for employers who deal with applicants from culturally-deprived backgrounds to offer re-tests to candidates who are unsuccessful on their first test, since these people are less familiar with the testing situation and may not do as well as they are able. ■

PROFILE

MRS. HERNANDEZ

Scholar, lecturer, union organizer, civil rights crusader, political scientist, traveler, and journalist is the versatile Mrs. Aileen C. Hernandez, Commissioner of the Equal Employment Opportunity Commission.

Born in New York City, raised in Brooklyn, N. Y., where she was a salutatorian of Bay Ridge High School, Mrs. Hernandez received her AB degree magna cum laude from Howard University.

In addition to being elected to the honor society at Howard, Mrs. Hernandez edited the college newspaper.

Upon graduation from Howard, Commissioner Hernandez travelled to Norway with the International Student Exchange program and spent the summer of 1947 in graduate study of comparative government. She returned to Howard as a research assistant in the Department of Government.

Her next job was with the International Ladies Garment Workers Union, where she first served as a Pacific Coast organizer and later worked as assistant educational director during her 11 years with the union.

While with ILGWU, Commissioner Hernandez took graduate work at UCLA and USC and received her master's degree in government at Los Angeles State College.

From union work, she was appointed by Gov. Edmund G. Brown as assistant chief of the California Fair Employment Practices Commission.

President Johnson appointed Mrs. Hernandez as Commissioner of the EEOC for a full five-year term in 1965.

Mrs. Hernandez toured six Latin American countries in 1960 as a labor specialist lecturing for the U. S. State Department. She spoke in Venezuela, Colombia, Chile, Peru, Argentina and Uruguay on conditions in American trade unions, the position of minority groups in the United States and the status of women.

Mrs. Hernandez believes the only successful approach to fair employment must be through a concerted effort in many fields. She feels, for example, that housing and education problems have a significant relationship to the problems of job opportunity.

Commissioner Hernandez has a busy speaking schedule. Since her July, 1965 duties began, she has criss-crossed the nation several times speaking to audiences about the function and programs of the EEOC. ■

Conciliator Assigned To North Carolina

EEOC has assigned a conciliation officer full time to Raleigh, North Carolina, to handle employment discrimination cases in that state.

The officer, Andrew Muse, began in April with 40 individual charges against nine different employers. These are the first cases in which the Commission found reasonable cause following an intensive investigation effort begun in North Carolina early this year. The Commission will forward additional cases to Muse for conciliation. Reasonable cause has been found in more than 30 percent of the North Carolina cases.

Muse, prior to joining the Commission staff, practiced law in Danville, Va. ■

Social Science Research Conference Sets Priorities

As a part of its program of stimulating and encouraging greater interest within the social science research community in the problems of discrimination in employment, the Office of Research convened a conference on February 2, 1966.

Thirteen eminent social scientists were asked to specify the priorities in research.

Recommendations for research were in five areas: (1) the Negro's perception of himself as it relates to economic mobility; (2) how the minority worker fits into the normal functioning of the labor market; (3) exploration of the relationship between hiring criteria (especially tests) and job requirements; (4) what shapes employers attitudes toward equal employment opportunity; and (5) evaluation of present manpower development programs.

Copies of the recommendations were sent to specialists on manpower problems in a number of government agencies. The response to the Commission's role as "an idea broker" has been enthusiastic.

In fact, several of the members of the ad hoc panel urged that the Commission assume the responsibility as a clearinghouse on equal employment matters.

It is hoped that government research operations will support some of the suggested research areas. The recommendations were also made available to interested university researchers.

The conference served to help mobilize the support of the research community and to establish close, collaborative communication with this important group.

It demonstrated that the Commission could, with limited resources, attempt to "direct and shape research in equal employment opportunity in the United States." ■

COFFEE, TEA— OR MEN?

Should positions as cabin attendants on the airlines be limited to young women?

Management of the nation's largest airlines, at a hearing before the Equal Employment Opportunity Commission said: "Yes!"

Officials of unions representing more than 17,000 cabin attendants on the major airlines argued that hiring of young women to the exclusion of males is a violation of sex discrimination provisions of Title VII.

The hearing developed out of 11 cases that have been filed with the Commission charging that certain airlines had violated Title VII by requiring stewardesses to resign when they married or be grounded after they reached a certain age.

The airlines argued that they had spent millions training young women as cabin attendants and that women not only attracted passengers but served them efficiently and in a pleasing manner.

The unions argued that there are no duites of a flight attendant that a man can't perform as well as a woman. The unions also argued that the airlines are discriminating by forcing women to resign when they get married, or grounding them when they reach a certain age—without applying the same requirements to men.

The Commission has left the record open for additional statements and will rule later on the question: "Is being a young woman a bona fide occupational qualification for the job of airline cabin attendant?"

✳ NEWS BRIEF

MRS. MARY ELLEN JAMES has been named administrative assistant to EEOC's Atlanta Region Director Donald L. Hollowell. Mrs. James, for many years secretary to Benjamin E. Mays, president of Morehouse College, became the first Negro to be employed as a white collar worker in the Atlanta post office in 1962.

AIRLINE STEWARDESSES *(foreground) and Commissioners (far background) hear Air Transport Association's arguments presented by Jesse Friedin during May EEOC hearing on the question: "Do cabin attendants on the airlines have to be young women?"*

Charges from all over . . .

- A woman complained against a state government in New England that she passed the tests but they wouldn't consider women for dog warden.
- Man in a Midwest college town charges neither fraternities nor sororities will give him a job as a house mother. ■

✳ NEWS BRIEF

Dr. Luther Holcomb, vice chairman EEOC, was keynote speaker at a Consultation on Equal Opportunity in Employment in St. Louis April 18. The meeting, sponsored by the National Council of Churches, was attended by 100 business, industry, labor, government and church leaders. ■

PENSION PLANS *were the subject at a recent meeting at EEOC Headquarters with Congresswoman Martha Griffiths of Michigan. She is chairman of the Fiscal Policies Subcommittee of the Joint Economic Committee. Left to right: Commissioner Jackson; Vice-Chairman Holcomb; Commissioner Hernandez and Mrs. Griffiths.*

WHIRLWIND VISIT—*When the International Union of Electrical Workers (IUE) held a civil rights conference in Washington, some of the delegates asked to see what goes on at EEOC. One afternoon, this group was taken on a two-hour tour which began (above) in the office of Executive Director Herman Edelsberg, went through several departments and ended up with Commissioner Graham and coffee. (When time and work permit, brief tours such as this are possible at EEOC. Contact the Office of Public Affairs, 343-5621, if interested.)*

New Policy Stated on Help-Wanted

The Equal Employment Opportunity Commission has revised its policy guidelines dealing with classified advertising.

The Commission's new policy on help-wanted ads, male and female, means:

1. That a disclaimer previously requested on help-wanted classified pages is no longer requested.

2. Ads for help may be placed in either column—male or female—and the advertiser is not requested to state specifically that both sexes may apply. However, if he asks for either sex specifically in his ad, the advertiser must be prepared to justify his preference as a bona fide occupational qualification.

The new policy, as it appears in the Federal Register, reads:

"Help wanted advertising may not indicate a preference based on sex unless a bona fide occupational qualification makes it lawful to specify male or female.

"Advertisers covered by the Civil Rights Act of 1964 may place advertisements for jobs open to both sexes in columns classified by publishers under 'Male' or 'Female' headings to indicate that some occupations are considered more attractive to persons of one sex than the other. In such cases, the Commission will consider only the advertising of the covered employer and not headings used by publishers." ■

Self-Enforcement In Missouri

A leading U. S. company with headquarters in Missouri has adopted a policy under which any discrimination in employment because of race, color, religion, sex, or national origin will be treated "as a firing offense." The company directive, distributed to its offices and branches throughout the U. S., was issued after three charges were filed with the Missouri Commission on Human Rights. The Commission's executive director, Peter C. Robinson, said: "Although there appeared to be no discrimination in these cases, there did appear to be some misunderstanding on the part of some company personnel concerning the terms of the Fair Employment Practices Act and the policy of the company on non-discrimination. This was the reason for the directive and this is the kind of self-enforcement by businessmen that we should like to see spread throughout the entire state of Missouri." ■

House Votes Cease & Desist

HR-10065, introduced by Rep. Augustus Hawkins (Dem. Calif.), has passed the House by a vote of 299 to 94. It provides cease and desist powers for EEOC and drops the number of employees or members of covered employers or unions to eight. The Senate is considering similar legislation.

EEOC COMMISSIONERS

DR. LUTHER HOLCOMB
Vice Chairman

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EV

HUMBLE'S EARN AND LEARN PROGRAM

To Train Future Stenographers

HUMBLE OIL & REFINING COMPANY

HOUSTON, TEXAS JUNE 20, 1966

HUMBLE'S EARN AND LEARN PROGRAM

A TRAINING OPPORTUNITY

Humble's Earn and Learn Program, called HELP, provides a stenographic training course and temporary employment for a limited number of high school graduates in the Houston area. It is designed to help selected job applicants, including minority group members, to qualify for regular stenographic jobs with Humble. The program is intended to help young people who would like to have jobs as stenographers, but who otherwise would be unable to get the training they need to qualify.

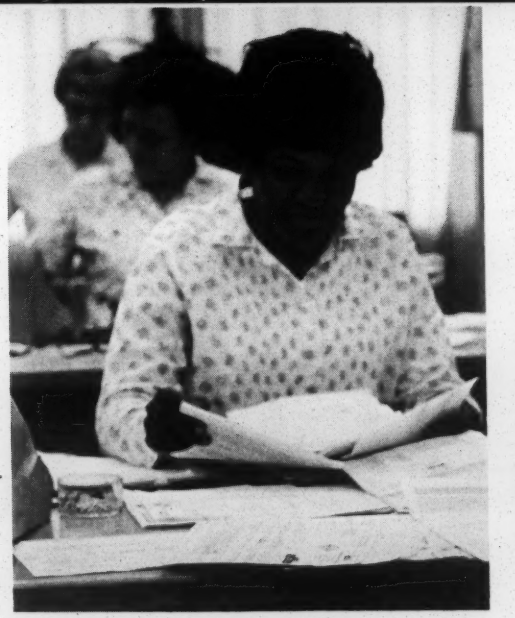
RECRUITMENT OF HELP TRAINEES

The first HELP class was started soon after the close of the 1966 school year—on June 20. Future classes will be held when the need for stenographers justifies and when qualified applicants are available.

A number of local organizations and individuals were asked to refer prospective applicants to the Humble employment office. Those contacted included: Guidance Counselors at local high schools with predominantly Negro and Latin student populations, the Texas Employment Commission, the Job Corps, the League of United Latin American Citizens (LULAC), the Crescent Foundation, the Vocational Guidance Service, and Focus on Achievement.

Fifteen HELP trainees for the first class were selected from a total of about 100 applicants. In selecting the 15 trainees, Humble used the same criteria as in selecting regular stenographic employees, except that typing and shorthand skills were not required.

EARN



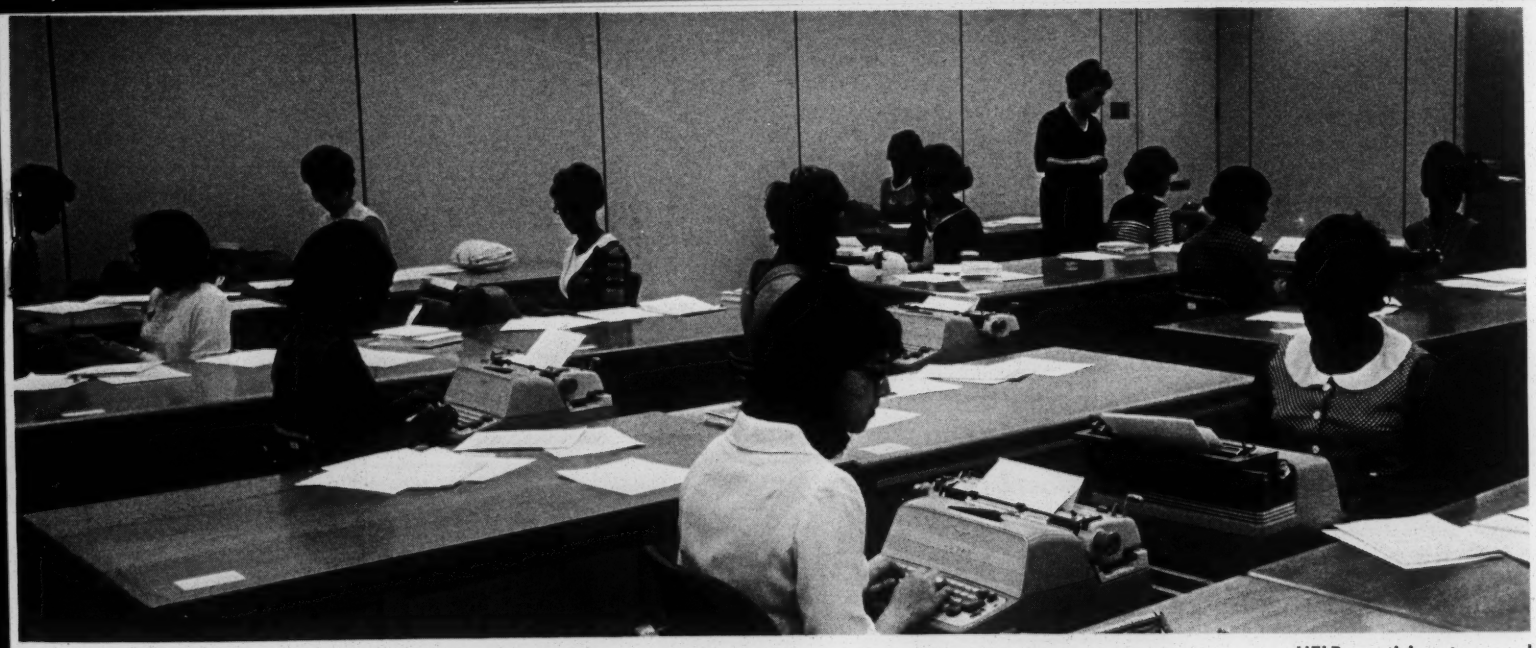
Jacquelyn White, Controller's Department—
Exploration and Production Accounting

Helen Francis, Controller's Department—Administrative Accounting

Jacqueline Palmer, Southwestern Enco
Region—Marketing Accounting

Deborah Luckie, Marketing Department—
Planning and Evaluation

Lydia Elizondo, General Services Department—
Stationery, Printing and Reproduction



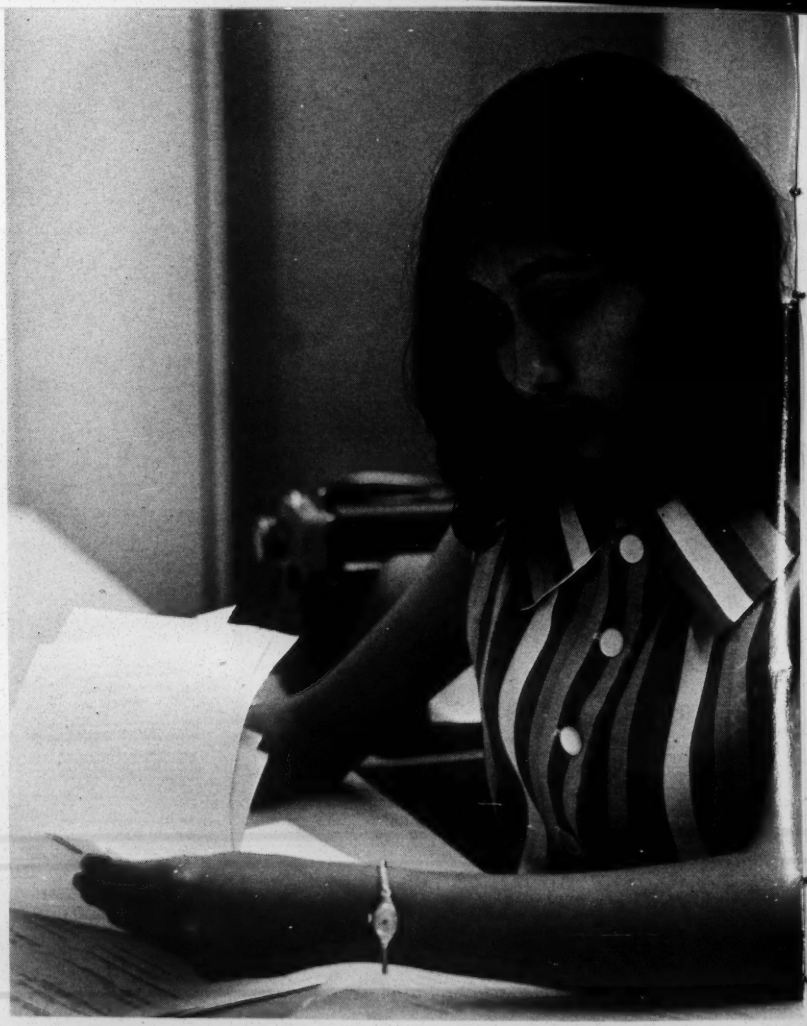
HELP participants spend 45 minutes during each class period on typing.

Mrs. Charles Zorn keeps close watch on progress made in shorthand class.

LEARN

TEMPORARY WORK ASSIGNMENTS

HELP trainees hold temporary nonstenographic jobs during the 12-week training program. From one to three trainees work in 10 units of the Humble Company performing productive work like filing, coding, distributing mail, and operating reproduction machines. Trainees work the same schedule as regular employees in the organizations to which they are assigned, except that they are excused from work to attend class for three hours per week. They receive pay at the local competitive rate for temporary general clerical work. Time spent in class counts as time worked.



Petra Carrizales, Employee Relations Department—Personnel Development

CLASSROOM INSTRUCTION

The program of instruction aims at providing trainees with adequate typing and shorthand skills. They receive Standard Gregg shorthand instruction. Although not included as separate subjects, the content of material used for typing and shorthand instruction is largely directed toward individual self-improvement. It includes hints on personal grooming, etiquette, and desirable secretarial traits.

A capable and experienced teacher from a local business college conducts the classroom instruction. The class meets from 3:00 to 4:30 PM on Tuesdays and Thursdays for 12 weeks. Humble pays for instruction, study materials, and all other costs associated with the program.

CLASSROOM FACILITIES AND EQUIPMENT

Humble outfitted a classroom in the Home Office Building especially for the HELP class. Equipment includes: desks and electric typewriters for typing instruction, two conference style tables, a blackboard, and a tape recorder for shorthand instruction.

QUALIFYING FOR REGULAR EMPLOYMENT

HELP trainees will be considered preferentially for regular stenographic jobs with Humble or one of its Houston affiliates at the end of the program if they have acquired the typing and shorthand skills normally required for stenographic employment.

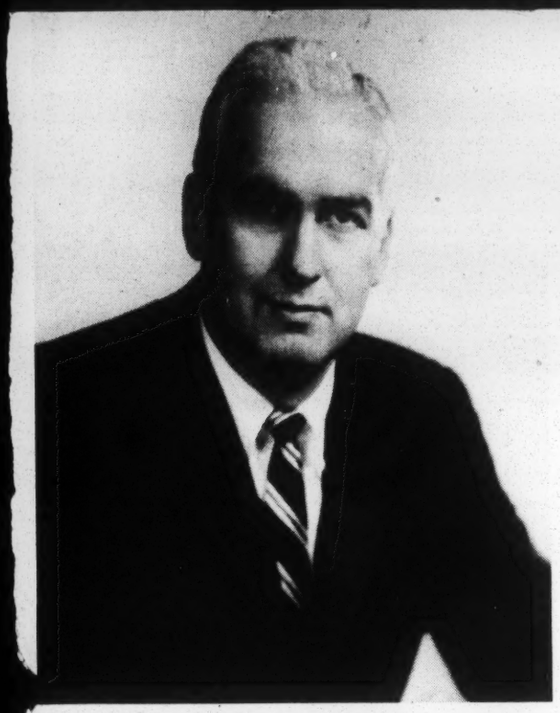
HUMBLE

OIL & REFINING COMPANY

P. O. BOX 2180, HOUSTON, TEXAS 77001

AN EQUAL OPPORTUNITY EMPLOYER

Textile Forum



No Hunting License For Union-Busters

Rep. Frank Thompson Jr. (D-N.J.) recently took the floor in the House and read the record of union-busting and flouting of the law on the part of J. P. Stevens & Co.

Noting that NLRB penalties assessed against the Stevens empire for labor law violations have amounted to little more than a slap on the wrist, Thompson proposed new and stiffer penalties.

Excerpted below from his floor speech are proposals which would help make a reality of the legal right of workers to organize.

By FRANK THOMPSON JR.

U.S. Representative, New Jersey

THE REMEDIES of the Labor Board are too little and come too late. This situation, however, can be changed. I would like to discuss just a few of the current proposals on how this can be done.

In 1947, this Congress recognized that the justice delayed by the due process procedures of the NLRB hearings was in fact no justice at all in many instances. Accordingly, we provided in section 10(l) of the Taft-Hartley amendments that the Labor Board must seek a temporary restraining order from the lower Federal courts whenever there is good cause to believe that a labor union has engaged in unlawful secondary boycott activities.

In the 1959 Landrum-Griffin amendments, we extended this requirement that the Labor Board must seek Federal court injunctions in "hot cargo" and "recognitional picketing" situations. In short, when an allegation is made against a labor union unfair labor practice, the Federal courts step in with immediate relief while the merits are slowly decided by the administrative processes.

In 1947, we also authorized the Labor Board to seek judicial injunctive relief—pending the administrative processes—when a complaint was issued alleging other violations of the Labor Act by unions or by management. Section 10(j) of the Taft-Hartley amendments authorizes the Labor Board in this situation to seek "appropriate temporary relief or restraining order."

We recognized, in the 1947 Taft-Hartley amendments, that there may be a local or regional prejudice for or against labor unions. Accordingly, we authorized the Labor Board to seek the judicial relief under both section 10(j) and under section 10(e) either "within any district wherein the unfair labor practice in question is alleged to have occurred," or, "wherein such person resides or transacts business."

I understand that the Labor Board has sought section 10(j) injunctions when a complaint was issued alleging unlawful discharges based on union activities. The Labor Board sought this judicial relief in the J. P. Stevens Co. case. I further understand that the Labor Board has obtained temporary court orders putting the discharged employee back on the job in other sections of the country, but never in the Southern textile mill states. It did not get this relief here in the J. P. Stevens case. Why has not the Labor Board sought a court injunction in the district "wherein such person resides or transacts business"? Specifically, why did not the Labor Board seek the 10(j) injunction in the Federal court in New York where the J. P. Stevens Co. has its headquarters? Why has not the Labor Board exhausted the possibilities for interim judicial relief which we set out in our 1947 Taft-Hartley amendments? I wish this had been tried.

In sections 10(j) and 10(l) we recognized the necessity for temporary judicial relief from the U.S. district courts pending the administrative adjudication by the Labor Board and its trial examiners. In section 10(e) of the act we recognized the necessity for temporary relief while the Labor Board decision was reviewed on appeal to the courts of appeal.

In section 10(e) we authorized the Labor Board—pending review of its decisions by the courts of appeals—to petition such reviewing courts for "appropriate temporary relief or restraining order." We also authorized the reviewing courts "to grant such temporary relief or restraining order as it deems just and proper."

I understand this is a dead letter, that the Labor Board seldom if ever asks for "temporary relief." This means judicial delay of a year or more compounds the damage caused by the administrative delay. Relief is in sight, but never

in hand. I do not understand why the Labor Board does not utilize the Congressional authorization to seek "temporary relief" from the reviewing courts; especially, as here, where the board has found unlawful discharges, and the dischargees are obviously in financial straits.

Let me briefly review the situation.

The union here charged that a number of employees had been discharged because of union membership. The regional office of the NLRB investigated these charges, and found reason to issue a complaint against the company. Thereafter, a trial examiner heard days of evidence and,in a lengthy 117-page opinion, found that some of the employees had been discharged because of union activity and other employees for legitimate reason. There was an appeal to the Labor Board. Five members of the board—Republican and Democrat alike—reviewed the evidence and the findings, and thereafter affirmed the trial examiner in almost all particulars. The case now moves on to the court of appeals for review. In that forum, according to our statutory mandate in section 10(e) of the act:

The findings of the board with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive.

Statistically, there is very little likelihood that the reviewing court will reverse the Labor Board findings of fact concerning the reasons for the discharges. The only real issue in this appeal concerns an entirely different question: Whether the Labor Board has power to require the employer to read aloud the order which concedingly he must post upon the bulletin boards. Why must the discharged employees be denied their reinstatement pending the review of this unrelated issue? Why does not the Labor Board utilize the remedial weapons we enacted into law? I hope this is tried, if not in this case, at least soon in another.

I have been discussing remedies presently available but untried. I do not think the successful use of these techniques will solve the problem. Something further must be done.

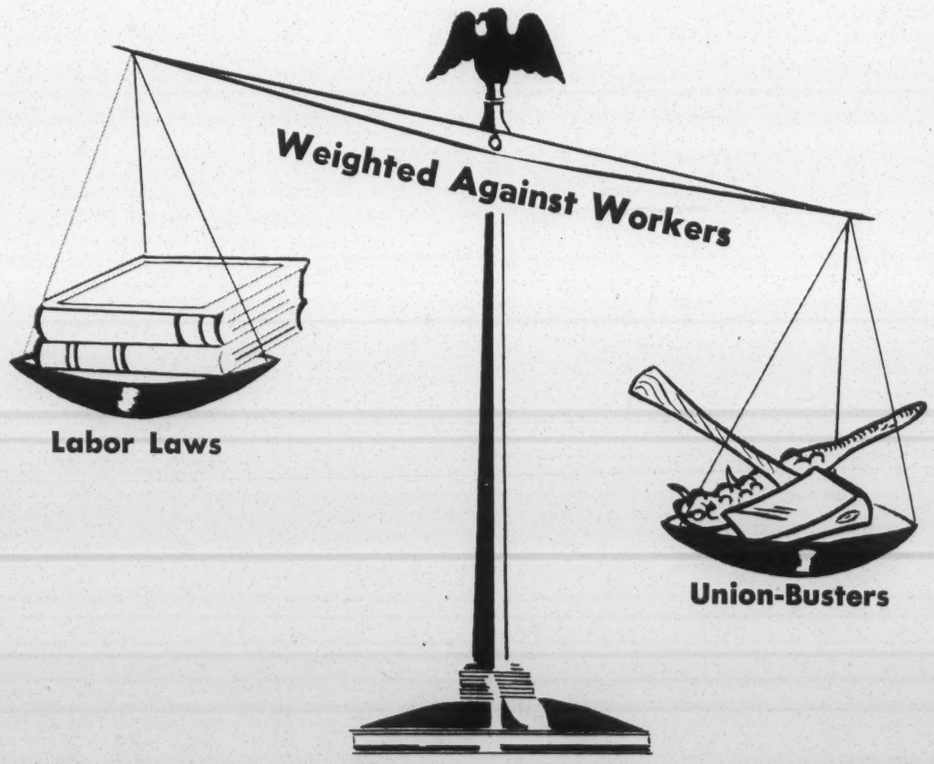
The J. P. Stevens Co. has so far lost all the battles but has won the war. It has achieved its objective—to keep the union out. Its violations of the law, assuming the reviewing court upholds the Labor Board, will be punished by a wrist-slapping. The contest between the J.P. Stevens Co. and the U.S. Government is unequal.

We send the Labor Board with a slingshot to enforce our laws against an armored Goliath and the days of David are over. If we want the laws we pass to be enforced, we must equip the agencies we create with power to deter the law violators. There are several necessary legislative reforms which have been proposed to my subcommittee. I would like to present a few of them here:

First. Currently, the National Labor Relations Act authorizes the Labor Board to order the reinstatement of employees discharged for union affiliation with back pay. This back pay award does not compensate the employee for his financial loss; nor does it deter the wrongdoer. The back pay award has been called "nothing more than a hunting license for union-busters." I suggest that we give the Labor Board authority to assess double or treble damages against certain violators—those who have been deliberate or repeated or flagrant in their violations of our laws.

Second. The laws should be amended so a violation will hurt where it counts —in the pocketbook. Moreover, it does not make sense for the Federal Government to subsidize with lucrative contracts the individuals and companies which violate our laws. Accordingly, I propose amendments to the Davis-Bacon and Walsh-Healey Acts so as to give the contracting agencies of our Government power to withhold contracts from companies which the Labor Board finds to be in open, flagrant, knowing and purposeful violation of our laws. I made a similar proposal in connection with those who violate our antitrust laws, and I think the same rationale is applicable here.

Action, I say, is urgent if we are to demonstrate that the U.S. Government is larger that the total of its parts.



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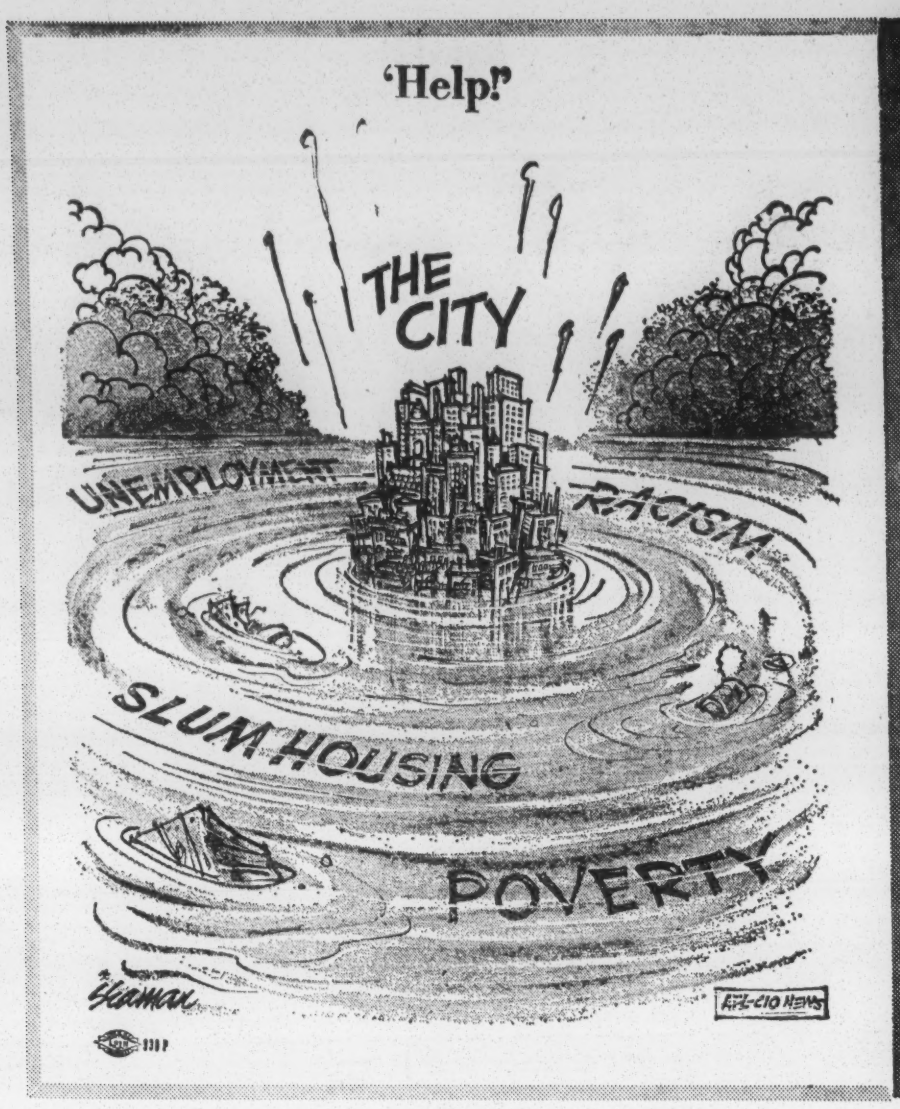

Let's Make Our Cities Fit To Live In

All over the United States the complaint is rising in a steady wave that our core cities are collapsing.

Great cities such as New York, Chicago and Los Angeles have become the center of bitter slum riots while thousands of their residents flee to the suburbs to escape the sometimes overwhelming problems that have faced the mayors of every great city in the nation.

For some years slum clearance, low-income housing and the rehabilitation of long-outdated areas have been slowing down. Added to these woes is the current depression in the construction of private residential housing due largely to "tight money" which has made it difficult to finance mortgages.

Nor are their problems only the physical ones such as slums, transportation needs, water and air pollution and health problems. In addition, there are the problems of providing adequate education for their children, training workers for productive jobs in an age of automation, bringing beauty and culture into the lives of their citizens.

Finally—and hopefully not too late—Congress has adopted the "Demonstration Cities" program proposed by the Johnson Administration and warmly supported by organized labor to meet many of these needs.

Calling for funds amounting to $1.3 billion, the program is far from answering the immense needs—Mayor Lindsay of New York, for example, estimated that his city would need $50 billion to do the job—but it represents a beginning that is of the utmost importance to every worker in the country.

The new program offers two major helps for hard hit cities:

- It provides for special grants to revitalize the center city and the people who live there, and
- It provides special grants to encourage metropolitan planning.

"The plain truth is that our cities and towns are bursting at the seams," Boris Shiskin of the AFL-CIO Housing Committee told a Senate committee last spring. "Yet our urban population is growing and will continue to grow, in the years ahead, by leaps and bounds. Modern America must assure the provision of modern living conditions for its people. The need is for better cities and towns, better neighborhoods, and above all, for more and better housing."

The Demonstration Cities Act of 1966 is designed to help achieve these goals. Two men largely deserve credit for bringing it about—Senator Paul Douglas, Illinois Democrat, who introduced it on behalf of the Johnson Administration, and Senator Edmund S. Muskie, Maine Democrat, who helped develop the measure in innumerable ways.

Their primary goal is to give new hope to America's cities, not merely in terms of their physical development, but in the quality of the life they can give their residents.

Basically, the measure seeks to encourage American cities, both large and small, to plan for the future and to carry out those plans with the aid of the federal government.

Congress has approved $1.3 billion which obviously is far from enough to do the job. The AFL-CIO has taken the position that nevertheless the legislation is "an important and auspicious step in the right direction."

Here are some of the vital facts that emphasize the importance of this step that has now been taken.

- From a largely rural country of fewer than 36,000,000 people less than a century ago, the United States is now a nation of 195,000,000 people.
- Approximately 70 percent of all Americans now live in 212 metropolitan areas that occupy less than 10 percent of the surface of the country. By 1985, the population is expected to reach 250,000,000 and about 80 percent will live in metropolitan areas.
- To meet the housing needs of today's population alone, residential construction should be maintained at a minimum of 2,500,000 units a year over 10 years.
- Yet in the first six years of the 1960's, the total of public and private housing starts (including farm) has been far below this minimum.
- Latest statistics show a worsening of the situation with housing starts declining to an alarming degree. In October, starts dropped to 848,000, as compared to 1.4 million in October 1965.

Modest as is the Demonstration Cities Bill at this point, it nevertheless offers hope that it will help provide many thousands of jobs in the construction and other industries that will be affected by it. In fact, one of the announced purposes of the act is "to expand job and income opportunities."

What We Must Do To Save Our Cities

By John Kenneth Galbraith

The modern city is one of the least planned parts of our economy. Our space voyages are planned. So are our weapons systems. So is our supersonic travel—and it is planned for us whether we want it or not. So is our telephone service. So is our automobile production. So are most of the other requisites of an industrial civilization. We have corporations large enough to embrace the tasks of planning. They assume control of the prices at which they buy and sell. And they exercise measurable influence over suppliers and customers. They do not leave things to the market; they would regard that as leaving it to chance.

This planning is successful because we have planning units with a size and power competent for their task. If one doubts the importance of this, he might reflect, for a moment, on the kind of telephone service we would have were the long lines system wholly separate, and without reliable interchange arrangements or equipment compatibility, from the local system. And were each local city system separate, in turn, from every other local system.

The successful defense and development of our urban and related living space requires progress on three broad fronts.

First: We must explicitly assert the claims of the community against those of economics. I have aesthetic claims especially in mind. If a structure, facility or design is cheaper, more convenient or more efficient, it is no longer decisively in its favor. If it is ugly or otherwise offensive, it is probable that it should be rejected. The airlines have no God-given right to the cheapest track if they keep ten thousand people awake.

So wires and poles must go underground, although this costs more and power and communications, as a result, will cost more. Industry should not be in the most efficient but in the most agreeable locations. Highways and streets are not primarily a business opportunity. They are primarily places for tranquil movement—and that means the streets on which one goes to where efficiency of movement is also weighed against charm. Air and water and landscape must, of course, be protected from pollution. It should not be claimed that the eventual cost of all this will be less—that it will pay in the long run. That is no longer the test. The test is what, in the end, people will enjoy most.

Second: Effective management of environment will require far more effective planning and control of land use. One reason is that we cannot go on wasting space, a scarce and important asset, as at present.

Third and finally, it must be evident from this discussion that the city or metropolis is the key unit in the management of environment. This means that city government must be stronger, by far, than in the past. This means that cities must be run by stronger, more imaginative, and, needless to say, intelligent and strictly honest men. They must have better and much better paid employees. And they will need to have much, much more money. They already have the most important tasks and the least money. This starvation cannot continue.

Expanding the President's Cabinet

The 89th Congress will go down in the history books for many achievements but one of the most intriguing is that it is the only Congress, since the founding of the Republic, which has created two cabinet-level departments.

During the first session it established the Department of Housing and Urban Affairs and during the second session it set up the Department of Transportation.

The fact that two such Executive Branch departments were created by one Congress is indicative of the fact that the 89th was made up of an unusually sensitive group of members, aware that constant revision of government is essential to cope with the rapidity of change we encounter today.

How far we have come since George Washington presided over his first cabinet which consisted of Thomas Jefferson as Secretary of State, Alexander Hamilton as Secretary of the Treasury and Henry Knox as Secretary of War!

The Attorney General did not enter the cabinet until 1814 and the Department of Justice was not established under him until 1870.

The office of Postmaster General has a long and fascinating history. Benjamin Franklin became Postmaster General in 1775 and created the Postal Service. However, he held the office for only one year because he was made ambassador to France. The Postmaster General did not enter the cabinet until 1829. The Post Office was a part of the Treasury until 1872 when it became a cabinet-level department.

The State Department was and is the senior department in the Executive Branch.

Prior to 1789 the foreign affairs of the country were conducted under the direction of the Continental Congress, first by the Committee of Secret Correspondence, later by the Committee of Foreign Affairs and from 1781 to 1789 by the Department of Foreign Affairs.

The vital role of the Secretary of State in the early days of the Republic is seen in the fact that many men who later became President held the post. They include Jefferson, Madison, Monroe, John Quincy Adams and Van Buren.

Until the Presidential Succession Act of 1947, the Secretary of State was in direct line of succession to the Presidency following the Vice President. Under the 1947 law, the Speaker of the House and President Pro Tem of the Senate are given priority to the Secretary of State in succession.

The growth of the President's cabinet through the years reflects the needs of a growing and developing nation. Originally it was a small group of Presidential advisers but today cabinet officers are administrators of vast areas of government.

Take the case of national defense.

The War Department was the third most important department in our original government. Today, the Department of Defense, which was established in 1947, is still the third highest cabinet department.

The original War Department included the Navy. The separate Department of the Navy and office of Secretary of the Navy was created in 1798 on a cabinet level. President John Adams offered the post to George Cabot of the Massachusetts Cabots but he turned it down. Benjamin Stoddert of Maryland was appointed the same day.

In the National Security Act of 1947 the Army, Navy and Air Force were all given sub-cabinet status under the cabinet-level Secretary of Defense.

The Department of Interior was created as a cabinet-level department in 1849. Originally it was a kind of Federal housekeeper. Its original bureaus included the General Land Office, the Office of Indian Affairs, the Pension Office and the Patent Office. However, with the rising concern over our natural resources, one of the main responsibilities of the department today is that of custodian of these vital resources.

In the latter part of the 19th Century ours was a growing industrial nation but agriculture was still dominant. Congress established the Department of Agriculture in 1862, headed by a commissioner, but it was not until 1889 that the commissioner was renamed Secretary and admitted to the cabinet.

Business and industry were becoming more and more a powerful factor in this country. The Department of Commerce and Labor was established in 1903 for the purpose of fostering, promoting and developing foreign and domestic commerce.

The Department, however, was largely a business department and labor was getting limited help from it. Originally, the Labor Bureau was in the Interior Department but being in Commerce did not resolve the problems, either.

Organized labor and many others pushed hard for a separate Department of Labor and this was set up in 1913 with William B. Wilson, a member of the United Mine Workers, as its first Secretary.

It was 40 years later in 1953 that the Department of Health, Education and Welfare was established. For years such a department was urged because the nation had developed a deepening concern for problems in these areas.

Indeed, these problems have grown so acute that pressure is now being exerted to establish a separate Department of Education.

The two new departments set up by the 89th Congress—HUD and Transportation—reflect the serious concern over what is happening to our central cities and the complexities of movement in the modern age.

The history of the President's cabinet, indeed, mirrors the history of the country.

Transportation: A Big New One

The mounting madness in getting from one city to another and in moving about within a city has led the 89th Congress to create a second cabinet-level agency—the Department of Transportation.

When it is fully organized it will have some 90,000 employees and be the fifth largest agency within the Executive Branch.

The measure, as finally agreed to by both houses of Congress, brings together 34 agencies such as the Bureau of Public Roads, the Federal Aviation Agency and important areas of the Interstate Commerce Commission and the Civil Aeronautics Board.

Deleted from the final bill was the inclusion of the Federal Maritime Administration. This was approved by the maritime unions, which felt that the problems of the merchant marine and the serious state of U.S. maritime policy would not get adequate attention.

In calling for support of the bill setting up the department, Rep. Chet Holifield (D., Calif.) told the House:

"We have a very good bill here. It is a bill that lays the basis and foundation for a very effective cabinet-level department and gives the Secretary tools to work with to plan and develop a national transportation policy and coordinate the modes of transportation contained in the bill."

As presently set up, the bill concentrates on highway and air transportation although it also covers railroad and pipeline safety authority.

Transportation accounts for one-sixth of our gross national product and is one of the largest employers in the nation. The new department will be expending something like $6 billion annually in federal funds.

Another great emphasis of the department will be on safety.

The Secretary will administer the Highway Safety Act and the Motor Vehicle Safety Act, work up a plan for national driver registration, exercise authority on railroad and pipeline safety, establish air traffic regulations, minimum standards for aircraft and so on.

"We should make no mistake about it," Holifield declared. "The Secretary of Transportation will be a very powerful figure in the national transportation picture and will be a leading cabinet member."

If you have difficulty in getting across the street, across town or across the country—he will be a new target for blame.

FROM THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
1800 G STREET, N.W., WASHINGTON, D.C. 20506

FOR RELEASE PM's, WEDNESDAY, DECEMBER 28, 1966 Phone: 343-5621

Significant employment opportunity gains for Negroes in the textile industry are disclosed in Dr. Donald D. Osburn's report, "Negro Employment in the Textile Industries of North and South Carolina".

The findings of this report will be discussed at the Equal Employment Opportunity Commission's public forum on minority employment trends in the textile industry, to be held January 12-13 at the Public Library in Charlotte, North Carolina. Dr. Osburn, who was with North Carolina State University in Raleigh and is now with the University of Missouri, will open the first session with a presentation of the paper.

Dr. Osburn says that the textile industry "may serve as a training ground for Negroes in the future as it has for whites in the past... providing a medium through which workers can move from an agricultural to an industrial way of life."

He continues: "The influx of new industry has created a tight labor market and whites have been moving from textiles to higher paying industries. As a result, the textile mill products industry has had to raise wages and hire Negroes to meet its labor needs."

Historically, Negroes were almost totally excluded from textiles, the report states. As late as 1960, non-whites in North and South Carolina represented 21.7% and 30% of the total employment, respectively, but only 3.9% and 5.2% of textile employment.

Dr. Osburn states that since 1960 there has been an evident shift to new employment practices in the textile industry. He points out that the ratio of non-white employment in textiles to non-white employment in all manufacturing in South Carolina moved from 38 in 1960 to 47 in 1965. The ratio in North Carolina, Dr. Osburn says, moved from 34 in 1960 to 61 in the same period of time.

These employment gains, Dr. Osburn points out, are made in an industry which is one of the lowest paying of any manufacturing industry. The average annual wage in textiles in North Carolina in 1964, for example, was $4,000 v. $6,000 for chemical workers.

"Negroes are moving into the vacuum left in a low wage industry by white workers leaving for higher paying industries", comments Dr. Osburn. This shows that "Negroes tend to advance most rapidly, then, when the general economic advances open up new positions for whites."

Dr. Osburn points out that the textile industry is the largest single industry in the Carolinas. Present expansion in textiles is due, in part, to increased military demands and increased civilian demands caused by general economic growth.

Dr. Osburn stresses the fact that it is important for Negroes to make employment gains in textiles even though it may not be a growth industry. The industry teaches skills to workers, previously engaged in agricultural production, and prepares them for higher skilled and higher paying jobs.

The Carolinas were selected for Dr. Osburn's study of minority employment in the textile industry because of the dominance of these two states in the industry. They accounted for almost 43% of all U. S. textile mill production, according to the latest available statistics, and within the two states, textiles provides almost 45% of all manufacturing jobs.

These points, and many others, will be presented and discussed at the EEOC public forum.

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Text. The Forum

The 'Superior' Rise

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LAbor- N.C.

The study by a former N. C. State professor which shows a sharp increase in the hiring of Negroes for textile industry jobs not only marks the moving edge of race prejudice in North Carolina; also it suggests two of the unfortunate reasons for the prejudice.

The economics of job competition always has been a strong element in racial conflict. If one group of workers can persuade itself of another group's lack of human worth, a whole category of competitors for the available jobs can be eliminated. This is not new with the textile industry, North Carolina's largest employer, but it is most dramatic here with whites moving to other, higher-paying industry jobs. The textile industry pays, and long has paid, the lowest average hourly wage of any sizable industry in the State. The wage level is actually below the State average, and the State average is 49th among the 50 states. Obviously it has not been the price of textile industry labor which kept Negroes out; white workers, by and large, created the atmosphere which discouraged them.

Reason number two is related and even sadder: White management, which knows better, has indulged the prejudice of white workers by refusing to hire Negroes. For decades most of the textile industry has prospered in this State by paying incredibly low wages to whites who were allowed and encouraged, ironically, to feel superior to Negroes. It probably has occurred to few of the more than 252,000 textile industry workers in North Carolina that their average wage, compared with national norms, mark them not as superior to workers of an other race, but as the least skilled, least productive and least worthy labor group in America. Those are not kind labels to put on good and simple North Carolinians. But the labels follow economic truth and the practice of race prejudice in this State.

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EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

information

from the Equal Employment Opportunity Commission

1800 G St., N.W., Washington, D.C. 20506

Charlotte EEOC

FOR RELEASE AMs WEDNESDAY, JAN. 4, 1967 PHONE: 343-5621

Substantial advances in Negro blue-collar employment in the textile industry over the past two years have not been matched by Negro advances in white-collar employment, an Equal Employment Opportunity Commission research report reveals.

The report, "1966 Employment Survey in the Textile Industry of The Carolinas", will be presented by EEOC's Office of Research and Reports at the public forum on minority employment trends in the textile industry, to be held January 12-13 at the Public Library in Charlotte, North Carolina.

A major finding of the report is that Negroes remain in the lowest occupational jobs. Negroes make-up 8.6% of the workforce in 406 textile mills surveyed in North and South Carolina. Of these Negroes, 99% are blue-collar and service workers.

Negro women, the report points out, are especially found in low-ranking jobs, and represent only 3.7% of all females employed.

Improvements are taking place in Negro employment in textiles, the report indicates. In North Carolina, for example, of the 103 companies which reported both in 1964 and 1965, more than 3,000 employees were added to the payroll, with three-fifths of them being Negroes. Employment increased 55% for Negro men, and 312% for Negro women - up from 184 to 758 Negro women.

The EEOC report concludes that the position of Negroes could "be vastly improved in the textile industries...both on a head-count basis and on a job quality basis."

66-112 (OVER)

The report covers 406 textile mills in 73 counties in North and South Carolina and is representative of the industry there. Data comes from the EEO-1 Standard Form 100 report. Employers with 100 or more persons and subject to Title VII of the Civil Rights Act of 1964 must file the form, as well as government contractors and sub-contractors with 50 or more employers

The report and other documents on minority employment trends in the textile industry will be discussed at the public forum.

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TEXTILE WORKERS UNION OF AMERICA
Research Department
New York, New York

APPENDIX V

Table 2. Participation Rates of Negro Employees in Occupational Groups in TWUA Southern Bargaining Units Responding to Union Questionnaire. 1966

Occupational Group	Males	Females	Total
Negroes as % of Total in Group			
Craftsmen (Skilled)	1.0	0.0	1.0
Operatives (Semi-Skilled)	9.6	4.9	8.1
Laborers (Unskilled)	37.0	10.9	32.4
Service Workers	53.6	40.0	51.4
Total a/	12.9	6.0	11.1
% of Negroes in Group to Total Negro Employment			
Craftsmen (Skilled)	1.5	0.0	1.3
Operatives (Semi-Skilled)	51.4	74.0	54.7
Laborers (Unskilled)	31.7	13.0	29.0
Service Workers	15.4	13.0	15.1
Total a/	100.0	100.0	100.0
% of All Employees in Group to Total Employment			
Craftsmen (Skilled)	18.3	1.5	13.9
Operatives (Semi-Skilled)	67.3	89.4	73.1
Laborers (Unskilled)	10.7	7.1	9.8
Service Workers	3.6	1.9	3.2
Total a/	100.0	100.0	100.0

a/ Components may not add to totals due to rounding

January 4, 1967

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

information

from the Equal Employment Opportunity Commission

1800 G St., N.W., Washington, D.C. 20506

FOR RELEASE SUNDAY, JANUARY 8, 1967 Phone: 343-5621

The Equal Employment Opportunity Commission has decided a Southern paper manufacturing plant used tests for employment and promotion that discriminate against Negroes, Chairman Stephen N. Shulman announced today.

The decision by the Commission was the first based upon Guidelines on Employment Testing Procedures adopted last August. The Guidelines state: "If the facts indicate that an employer has discriminated in the past on the basis of race... the use of tests in such circumstances will be scrutinized carefully..."

The Commission's investigation of a charge filed against the company and a union showed that only 6 per cent of the plant's 2,465 employees are Negro, while about 40 per cent of the local population are Negroes. Investigation also revealed that only 8 per cent of the Negroes employed in the plant are in "line of progression" jobs compared to 82 per cent for white employees. "Line of progression" jobs are those in which an employee moves up from lower-paying jobs to higher-paying jobs at the top of the classification, according to seniority and ability. Ninety-two per cent of the Negroes were in "dead end" jobs - those with no prospect for advancement.

Since 1964, the Commission found, 17 Negroes took tests to transfer from "dead-end" jobs to "line of progression" jobs. The only Negro who passed the test was outbid for the job he sought.

66-111 (OVER)

The Commission found that the tests were not "professionally developed" and that they discriminated and excluded Negroes from employment opportunities.

On the basis of this investigation, the Commission found reasonable cause to believe that the company was in violation of Title VII of the Civil Rights Act of 1964. Title VII prohibits discrimination in hiring, upgrading and all other conditions of employment because of race, color, religion, sex or national origin.

The Commission will undertake conciliation to bring the company into compliance with Title VII.

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1967

Depart in S.C. despite H.S. requirement — They always train don't hire skilled

SCHEDULE

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

TEXTILE EMPLOYMENT FORUM

Thursday, January 12

9 A.M. Welcome - MAYOR STANDFORD BROOKSHIRE
City of Charlotte

9:15 Opening Statement and Statement of Ground Rules

CHAIRMAN STEPHEN N. SHULMAN

9:30 DR. DONALD OSBURN, Consultant to Commission, Economic Department, University of Missouri

10 DR. PHYLLIS WALLACE, Acting Chief of Technical Studies

10:30 MR. KENNETH HOLBERT, Acting Director of Compliance

11 MR. DONALD HOLLOWELL, Regional Director, Atlanta

11:30 DR. VIVIAN HENDERSON, President of Clark College

[EV should get copy of Statement]

2-3 MR. D.S. COLTRANE, Chairman, North Carolina Good Neighbor Council Exp. good as Statement of State Govt. Official
MR. KELLY ALEXANDER, President, North Carolina Council, NAACP Branches

3-4 MR. LEIGHTON C. DUNLAP, Industrial Relations Division, Dupont
MR. EMANUEL LIPSCOMB, Director, Trade Analysis Division Office of Textiles, United States Department of Commerce
MR. PAUL SWAITY, Vice President, Textile Workers Union of America, AFL-CIO

4-5 4:30 DR. EMORY VIA, Director, Labor Programs, Southern Regional Council
MR. HARRY WINNER, President, Ashville Human Relations Council

PUBLIC DISCUSSION AT CLOSE OF DAY

Rm fd 2 W.H Imp — Recept. - Time? 7:30-8:30 ~~7-8~~ 6-7 Jim

EV — Submit K.U. Article re testing — Send Herb Hill Copy of Statement

Jim
Wis Motor Vehicle
Wheeler
Transportation

Friday, January 13

9-10 MR. A. G. BULLARD, Director of Vocational Education, North Carolina State Department of Public Instruction
COL. CLIFTON CRAIG, Commissioner of Public Welfare [Connected for promotion]
REV. JACK CRUM, Director, Christian Social Action, North Carolina Council of Churches
MR. C. MERRILL HAMILTON, President, Rowan Technical Institute
MRS. SARAH HERBIN, Field Representative, North Carolina Fund

SREB Com. on Neg. Higher Ed — Insame Exec.

10-11 MR. WATTS HILL, JR., Chairman, Board of Higher Education
MR. NEIL MacARTHUR, Manpower Administration, Department of Labor
Kraus ESJ — REV. HOWARD McCLAIN, Executive Director, Christian Action Council
MR. W. I. MORRIS, Director of Placement Office, A & T College
SEN. MARSHALL RAUCH, President, Pyramid Mills

Sean Jonal Durham NCRHR Bd.

11-12 MR. COURTNEY SICELOFF, Secretary, South Carolina Advisory Committee, U. S. Civil Rights Commission
REV. I. DeQUINCY NEWMAN, Executive Director, South Carolina Council of NAACP Branches
MR. KENNETH OLESON, Assistant Educational Director, Vocational and Technical Programs

2-3 MR. JAMES PIERCE, Coordinator, Industrial Union Department, AFL-CIO
MR. CARL PRIESTLAND, Industry Consultant and Instructor of Economics, Howard University
MRS. ALICE SPEARMAN, Executive Director, South Carolina Human Relations Council

3-4 MR. ROY WHITMIRE, Vice-President, Southern Co-director, United Textile Workers of America, AFL-CIO
DR. ROBERT S. RANKIN, Member of the United States Commission on Civil Rights

Miss Willie Mae McClendon — NAACP — Complaint —
McLendon (?)

PUBLIC DISCUSSION

Closing Statement by CHAIRMAN STEPHEN N. SHULMAN

Rev. Hallman (?) NAACP Aiken, S.C. — good —
Pay inequality — Govt. K —
Pepper (?) Winston-Salem Paper — regards to Pat. W.

Hakeem long statement on church role & initiative —

SE S.C. NAACP

Local — Am Tex Mfg Inst.

UNITED TEXTILE WORKERS OF AMERICA, AFL-CIO

TEXTILE EMPLOYMENT FORUM

CHARLOTTE, N.C.

JANUARY 12, 13, 1967

First speaking for the United Textile Workers of America, AFL-CIO, we should state clearly what our policy is as far as it affects the negroes in the Carolinas.

Our policy is a very simple one. We believe the negro should be dealt with as a responsible member of a Southern Community. We want and expect him to be treated in all areas of community life, the same as you treat with any responsible citizens. These are community problems and should be treated as such. We are 100% for an economy that provides for full employment, using the skills of all of its' citizens and development of their potentials.

Our own limited survey of this problem reveals that during the years, 1966, the employment of negroes in the Carolinas have improved. This varies by degrees from mill to mill and town to town. It appears that the older production employees are less likely to migrate to other job opportunity, than his younger Brother. This does not hold true among the employees in the skilled trades. The textile industry have for some time been training employees in the various crafts of skills, only to have them move on to higher paying jobs.

We see the following examples at some of the mills we work with. For example - At one large mill in the Carolinas during an expansion program in 1966

in which its plant force was increased by one third - 75% of the employees hired were negroes. They are filling production jobs all through the plant.

At a similar plant, near the mill mentioned above, with a normal to high labor turnover the company hired forty three (43) negroes in 1966 - to non janitorial or warehouse jobs. Some time ago here the negroes were limited primarily to ware house laborers or janitorial jobs. In this mill now for example you would fine twelve (12) negroes working production jobs in the card room; thirteen (13) in the spinning room; fifteen (15) in the weave room; and ten (10) in the cloth room, all on production jobs.

At two Carolina Mills where employment remains at about 1000 employees, nearly 50% of the employees hired to production jobs in 1966, were negroes.

In one of our larger synethetic yarn producing plants, less than 5% of those hired in 1966 are negroes. The reasons we are given for such a low percentage is that negroes are just not applying for these jobs. The negro population of that county is in excess of 14000.

In some parts of the Carolinas labor is real tight, Textile Mills and Finishing Plants are experiencing difficulty in recruiting labor. In many instance, management tells us they couldn't care less what color his skin is, so long as he is willing and

able to do the job. Management tells us and this is significant that there is little, if any training problems between the whites and non whites.

In the report submitted by Dr. Donald D. Osburn dealt at considerable length about the problems of employment for the negro. It does not take a genius to look back down the road to see where we've been, nor does it take one to determine where we are at the present time. It likely will take more than that to determine where we are going.

Commendation is due Dr. Osburn on his report. He points out the problems the negro is faced with in the textile field, and the many things for him to do, to qualify himself for future jobs in the textile industry.

The technological trends in the textile industry as it strugles to automate and computerize their plants, too was set forth by Dr. Osburn. This is a process that has been going on for several years and it is expected that the Textile Industry will continue to make advances in all of these areas. It likely will have profound effect on the future of all employees of the textile industry.

With reference to Dr. Osburn report one of the Asheville, N.C. newspaper commented editorially soon after report was released. The by line stated:

"TEXTILES OFFER RACIAL PROMISE"

The Editorial in part is as follows:

"Dr. Osburn points out that historically the textile industry has had low pay scales and that many white workers in recent years have left textile jobs for higher paying ones in chemical and other plants. As a result textile employers have had to seek more negroes to fill these openings."

According to Osburn, "negroes are moving into the vacuum left in a low wage industry by white workers leaving for higher-paying industries. This shows that negroes tend to advance more rapidly when general economic advances open new positions for whites."

Dr. Osburn holds that textile industry, which accounts for 43 per cent of the manufactoring jobs in North and South Carolina, can do the same things for negroes it has done for many whites - help them make the move from the farm to a job in a plant.

The Editorial went on to say that, the textile industry does appear to be peculiarly adapted to doing this job. If it does, it will help to solve one of the Carolinas' major economic problems." Thus ended the editorial.

The paper is widely read by thousands of people in Western North Carolina.

The research report 1966-11. Released for publication January 4, 1967, shows serious lack of negro employment among the skilled and white collar workers.

For example tables 3, 5 and 6 on pages 10, 12, and 14, respectively table 3, shows only slightly more than 1% of the total white collar force are negroes, which means they likely are not being given very serious consideration for these jobs. This should be better. Tables 5 and 6 are mute evidence that there is little movement, by the negro workers into the Technical professionals, white collar workers jobs. We frankly do not know why this appears to be the facts.

Our Union has no quarrel with the textile industry in its program of recruiting negroes. We have no stones to cast or condemnations to make for the past. We all are aware of the road we have traveled. It is not a pleasant thing to reflect on. The negro in the past has endured discrimination in many areas of his life. This whole problem cannot be laid on the back of this industry. All our citizens must accept their share of responsibility for all discriminatory acts of the past. The time is now come, however, to move ahead in making jobs available in all levels where employees are needed for the negro. The textile industry now has the opportunity to be the training ground for all who wish employment in this field.

Conclusions

There are two basic problems that is the primary cause of the unusually large labor turn over in the textile industry. That is (1) the textile industry is stuck with a national reputation of a low wage industry. Dr. Osburn quoted a $2000. difference in the annual wage between the textile employees and chemical employees. This reputation is a real problem for the textile industry in its effort to recruit a work force. The (2) thing is the lack of labor unions. It would seem to us that with their problems, the textile industry would establish its own training program and establish its' program of communication to reach the people who are looking for jobs.

In addition establish a joint program of the Federal and State Government, utilizing trade schools or other facilities that may be available. Most high schools in the country has equipment that could be used for training. This equipment stands idle every night during the week.

Roy S. Whitmire
Southern Co-Director

United Textile Workers of America

January 6, 1967

Mr. Chairman, Commissioners, ladies and gentlemen: It is a pleasure to have this opportunity to share with you some past experiences in the field of equal employment opportunity, especially as it relates to the textile industry in North Carolina.

Having worked in the field of equal employment opportunity for ten years with the American Friends Service Committee, and two years in State Government, I am very conscious of employment policies and practices of North Carolina employers. With primary responsibilities for encouraging employers to hire on the basis of merit, regardless of race, I talked with approximately 300 employers. As they would agree to adopt these policies and practices, I would, upon their request refer applicants to them. I must say, however, that during this period when I worked with AFSC, the textile industry was one of the last to utilize the services of our program.

It is encouraging to have theEEOC here in Charlotte for what we hope will be the beginning of a series of forums o n the employment practices of various industries. As has already been said, the textile industry forms the very core of our state's economy and its influence is woven into the social and cultural life of practically every North Carolinian. For this reason it is mandatory that equal employment opportunity is provided every individual. However, even if this is done in the textile industry, it will do little to make a significant change in our economy, for the average hourly wage in North Carolina textiles is $1.78 . This is not only below the average hourly wage for total manufacturing in N. C., which is $1.82, but also below the national average for textiles, which is $1.87.

And speaking of wages - I'd like to cite a specific case of discrimination in a North Carolina textile plant. An individual whom I know personally was employed for 30 years in a particular firm; 20 of those years, head man in the Dye Dept. Wages? $1.39 per hour. There was very little opportunity for over-time and during the 20 year period, he trained several white employees who subsequently were promoted to bigger and better jobs. One in particular is now Production Manager.

According to the American Textile Manufacturers Institute, "rewarding career opportunities are unparalleled in the textile industry. Careers are available in such fields as manufacturing and production, engineering administration, finance, accounting, transportation, designing, styling, research, sales, advertising, chemistry, quality control, personnel and industrial relations, public relations, research and development, marketing and merchandising."

Yet EEOC's recent report indicates that in North Carolina there

are only

74	Negroes out of	6693	in office and clerical jobs
6	"	5299	in managerial
4	"	1021	as technicians
3	"	1143	in professional jobs
and NO	"	404	in sales

Where are the Negroes in the textile industry? Concentrated in the lowest ocuupational categories. In order to change the current situation, there must be affirmative action on the part of the industry.

Perhaps the most frustrating experience in referring prospective employees has been two-fold: 1) requests for the "super" Negro, never any requests for the average office clerk, but always one who knows shorthand and has all the personal qualities for a private secretary, and 2) shocking ~~xxqxxxx~~ requests for "light-skinned" Negroes. This is now beginning to change somewhat because many want to have a show case placement so they can say, "Oh, we have one!"

Talking with textile employees, I find that their biggest complaints include: 1) no opportunity for upgrading like their white counterparts; 2) whites get promoted with less seniority; 3) difference in pay, even when they are doing the same jobs; and 4) there is no one to whom they can turn to correct these problems. There is fear of intimidation and job reprisal - and rightfully so, because they have seen many lose their jobs when some efforts are made to correct the situation.

I see a need for two kinds of action. I admit I do not know how this should be accomplished. However, 1) we need assurance that subsequent ~~xx~~ forums like this do more than add to the frustrations of minorities who feel the brunt of discriminatory practices - that this does not raise the hopes of people and then let them down flat; and 2) there is a need for some kind of action which gives minorities the steam to ~~xxxxx~~ obtain jobs on their own. There is a need to eliminate the psychological barriers and obstacles which prevent minorities from having the self confidence and sense of well-being necessary to be a whole individual. If this is accomplished, there will be no need for a "middle man" to speak for the Negro. He can speak for himself and will have reasonable expectation that his requests will be heard.

(Mrs.) Sarah W. Herbin
Field Representative
The North Carolina Fund

Draft — Not for Release.

STATEMENT

of the

TEXTILE WORKERS UNION OF AMERICA, AFL-CIO

This was re-phrased

at the

TEXTILE EMPLOYMENT FORUM

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Charlotte, North Carolina
January 12-13, 1967

The Textile Workers Union of America, AFL-CIO, welcomes this opportunity to appear before the Equal Employment Opportunity Commission and present its views on one of the most pressing problems facing the industry at this time. It is our hope that out of this forum will come some really useful programs to enable the textile industry to open new vistas for employment to minority groups who have too long been shut out of real participation in it on an equal basis with other workers.

Before the problem can be realistically attacked it must be put in its true perspective. To do that we must speak honestly and frankly about the nature of the Southern textile industry in which our union has labored so diligently for more than a generation. Nothing is gained by concealing what, for us, have become the day to day facts of industrial life -- facts which this Commission may not be fully aware of.

In spite of the highly profitable character of textile operations in recent years, the southern textile industry has persisted in its traditional role as the lowest-wage manufacturing industry in the nation. The average straight-time hourly earnings of southern textile production workers in June 1965 amounted to $1.59, 36% below the average for all manufacturing workers ($2.50) and the lowest of all the manufacturing industries in the country (Appendix I).

The substandard nature of southern textile wages is evident from the fact that in June 1965, 40% of the nonsupervisory employees in this industry were earning less than the amount necessary to lift a family out of the poverty class ($3,000 a year, or $1.50 per hour). In two major sectors of the industry more than half of the workers were earning less than the poverty wage of $1.50 per hour as of the latest date for which information is available (March 1964). In southern knitting mills, employing a total of 113,900 workers, 54.1% earned less than $1.50 and in southern yarn and thread mills, with a total of 85,700 workers, 58.5% earned less than $1.50.

In addition to suffering from substandard wages, southern textile workers have been deprived of virtually all of the supplementary economic benefits achieved by organized workers in other industries: guaranteed company-paid pensions; company-paid insurance; 6 or more paid holidays; supplementary unemployment benefits;

company-financed automation funds to provide severance pay and retraining in case of technological displacement.

The low-wage policy pursued by the southern textile industry has depressed the living standards of the workers and has acted as a drag on the entire economy of the South. The expansion of the textile industry cannot serve to correct the retarded economic development of the South as long as it is based on substandard wages.

The average per capita income in the United States was $2,746 in 1965. In North Carolina, the leading textile state, per capita income was $2,041, some $705, or 26% below the U. S. average. In South Carolina, the state with the highest proportion of manufacturing workers accounted for by textiles (48%), the per capita income was $1,846, some $900 or 33% below the U. S. average. It is no coincidence that the two leading textile states rank among the lowest in per capita income of all the states in the union: North Carolina is 45th and South Carolina, 48th.

These conditions have been brought about by the industry itself. In order to maintain the substandard wages and working conditions just described it has moved ruthlessly to crush any opposition to the entrenched system and has acted vigorously to manipulate the social forces in the community in order to maintain the status quo.

For many years the industry was characterized by family owned mills located primarily in small towns where the mill offered the only source of factory employment in a generally agricultural area. Management was personal; strict loyalty was demanded of supervisors and workers alike. Workers often lived in "mill villages" where the houses were company owned and the occupants were permitted to remain only as long as they were employed by the company. In recent decades this pattern has broken down. Corporate mergers have tended to create large industrial complexes in which the mill village was an anachronism.

Nevertheless, management still dominates the town, controls the credit policies of the banks, dictates the editorial policies of the newspapers -- at least with regard to economic matters -- and, by virtue of its special position as chief em-

of its banks, dictates the editorial policies of its newspapers -- at least with regard to economic matters -- and, by virtue of its special position as chief employer, is able to compel submission to its will in a whole host of economic and social matters.

Accordingly it is in a position to rigidly control access to jobs in the mill and this has meant discrimination - both because of membership in or sympathy with unionism and because of race.

The position of the industry with regard to union organization has been and continues to be one of implacable and total opposition to any form of organization and collective bargaining among the workers. This policy has been so fiercely and relentlessly pursued that the sad fact is that only about 10% of the workers in the industry in North and South Carolina are members of any union.

The methods by which the employers have suppressed unionism are heartless, cynical and frequently in open defiance of the law.

In plant after plant we have encountered virtually the identical pattern of opposition, including threats to close the mill if the union came in, interrogation of employees concerning their union sentiments, threats and promises designed to compel employees to withdraw from organizing activities, mobilization of the business community to withdraw credit from union adherents, surveillance of union meetings and many other devices designed to harass workers to give up their union sympathies.

The most brazen tactic, however, is the repeated and illegal discharge of union supporters or suspected supporters and the blacklisting of such discharged workers in the community and the surrounding area. Indeed, the employers exert such a rigid control over employment that they have been able to hound discharged union adherents to the point where even skilled operators have been forced to leave areas in which they have been born and brought up in order to get work, even at a time when

the industry was experiencing an acute shortage of skilled workers.

Furthermore, we have come to learn over the years that the employer's campaign of anti-unionism would almost inevitably be accompanied by a disgraceful appeal to racial prejudice in addition to the other devices used. Again, this tactic follows a pattern. Workers are first informed about our union's forthright stand in favor of civil rights and equal job rights for all. This is tied in with a fear campaign that a vote for the union in an NLRB election is a vote for forced racial mixing on a social basis at union meetings and other functions. At the same time a spectre is raised that the union will see to it that white workers will be replaced by Negroes. Indeed, this very same theme greeted the Commission's announcement of the holding of this forum in the press of Greeneville, S.C., one of the centers of industry strength.

This pattern was repeated over and over again in one organizing campaign after another. Despite repeated attempts by many trade unions to have such propaganda declared an impermissible form of campaigning the NLRB refused to rule it out until the trend of events in favor of increased rights for Negroes compelled a change. Finally, in 1962 the board ruled in two companion cases, Sewell Manufacturing Company, 138 NLRB No. 12 and Allen-Morrison Sign Co., 138 NLRB No. 11 (the latter brought by our union), that appeals calculated to inflame racial prejudice would henceforth constitute grounds for setting aside a board election. The use of such offensive material has declined substantially, but by no means entirely, since those decisions were rendered.

In addition to propaganda calculated to spur racial hatred, the non-union employers have practiced actual discrimination on the job in a number of respects. For example, Negroes have been restricted to menial jobs and strict segregation of facilities has been maintained. In one of the most notorious cases ever decided by the NLRB, involving J.P. Stevens & Co., Inc., the industry's second largest chain (J. P. Stevens & Co. Inc., 157 NLRB No. 90 (1966)) the Trial Examiner severely condemned the practice of the company of maintaining segregated toilet facilities which

For Order Public Record

was revealed at the hearing.

This, then, is the nature of the industry in which we operate. Is it any wonder that Professor Osburn found that employment of Negroes in this industry is only a small fraction of what it would be if Negroes were employed in proportion to their representation in the labor force? In North Carolina, the Negro employment ratio in textiles was 61% of its proportion of the labor force in 1965 and in South Carolina, it was only 47% (Negro Employment in the Textile Industries of North and South Carolina, pp. 30-31).

The crucial fact is that the responsibility for existing racial patterns in the industry is clearly in the hands of management. It is management which exercises the unilateral right to hire - in unionized plants as well as in non-union plants. In hiring new employees, it is management which determines the jobs and departments to which they shall be assigned.

The Textile Workers Union of America, AFL-CIO, has placed no impediments in the way of management hiring members of minority groups. Membership in the union is open to all on a non-discriminatory basis. Under our constitution, "any worker employed in any industry within the jurisdiction of the International Union . . . shall be eligible for membership in the union." (Article XI, Sec. 1(a), TWUA Constitution, June 1966).

The union is operated on a completely non-segregated basis. Our constitution makes no provision for different classes of membership or segregated locals and no such differentiation exists in our organization. Minority group members have full rights of participation in union affairs and many do in fact hold offices as stewards, committeemen, local union officers and International union officers.

In carrying out our legal responsibility of representing all workers in the bargaining unit, it is our policy to represent them fairly and impartially, without regard to race, creed, color or national origin. All workers have equal access to the grievance procedure established under our collective bargaining agreements.

TWUA has consistently supported civil rights and equal employment opportunities for all Americans. In 1956 the union's Executive Council adopted a resolution on civil rights which read, in part, as follows:

> " Historically the fight for civil rights and the battle to organize labor have marched forward together . . . A national fair employment practices act should be passed; and in the meantime, the Government Contracts committee should more vigorously enforce the non-discrimination clause in such contracts . . ." (For full text of resolution, see Appendix II).

The biennial convention of the union in 1956 adopted a resolution denouncing the White Citizens Councils and allied organizations "as enemies of law and order and bitter foes of the labor movement." The resolution concluded with a "call upon members of labor unions and all those devoted to southern progress to scorn these groups." (Appendix III).

This resolution was adopted in spite of the vocal opposition of a number of southern delegates. In fact it resulted in a walkout from the convention by a number of delegates and the resignation of a few members from the union.

TWUA's actions in support of civil rights have not been limited to convention resolutions expressing the union's point of view. In 1960 the General President of the union placed a local union in Front Royal, Virginia, under trusteeship in order to prevent the local from assisting a segregated school in that city after the public schools were ordered to desegregate. This action was upheld by the union's biennial convention in 1960 and the local union discontinued these activities.

At our 1966 convention the union reaffirmed its support of civil rights as "part of a struggle to secure equal rights for all minorities, all races, all colors and ethnic groups" and called upon Congress and the Administration to "utilize its full powers to legislate and administer effective laws to prevent discrimination in employment." (Appendix IV).

In implementing the union's policy of supporting equal employment opportunity, we have sought to break down whatever barriers to Negro hiring and upgrading we

inherited when we organized a plant. As Marshall points out, "it would be a mistake . . . to conclude that unions caused segregated rosters, because racial divisions of labor existed long before unions were significant in the South. Indeed, the virtually unorganized Southern textile industry has had relatively few Negroes and rigid racial segregation. Almost without exception, moreover, those firms which have desegregated their lines of progression in the South are unionized." (Ray Marshall, The Negro and Organized Labor, 1965, p. 142).

We have suggested to a number of mill managements that it would be fruitful to take advantage of the government assistance available for on-the-job training programs under the Manpower Development and Training Act. In spite of the serious shortages of workers encountered by the mills in the past two years, our suggestions have been rejected. These employers are so hostile to any measure of government regulation that they even refuse to participate in government-assisted training programs. However, the industry has not been reluctant to demand government assistance where no regulation of their activities was involved, such as the cotton textile import controls instituted in 1961 and the One-Price Cotton law enacted in 1964. The industry was able to profit from these government programs without sharing the benefits equitably with its employees.

Under the pressure of stringent labor shortages, southern textile employers have been compelled to change their exclusionary employment practices. A survey by the Commission's staff of 136 establishments in North and South Carolina reporting Negro employment in 1964 and 1965 shows that Negro employment increased its proportion of total employment from 6.0% in 1964 to 9.3% in 1965. (Derived from Tables 7A and 7B, 1966 Employment Survey in the Textile Industry of the Carolinas). In 1966 the Commission's staff tabulated returns from 406 establishments in the Carolinas which show that Negroes account for 8.6% of the total work force; excluding white-collar jobs (Officials and Managers, Professionals, Technicians, Sales Workers,

Office and Clerical), Negroes comprise 9.1% of the production and maintenance workers.

A survey conducted by TWUA in 1966 of southern plants covered by our collective bargaining agreements yielded returns from 30 establishments with a total of 18,933 production and maintenance workers (Table 1, Appendix V). Negroes comprise 11.1% of the workers in these bargaining units, compared to an average of 9.1% in the Carolina establishments covered by the Commission's survey. The proportion of Negro employment to the total in 7 units which reported this information for prior years increased from 5.5% in 1964 to 9.6% in 1965.

The extent to which Negroes have been permitted to enter production jobs with opportunities for upgrading is indicated by the fact that 54.7% of the Negroes in these TWUA units are employed in semi-skilled Operative classifications (Table 2, Appendix V). Until recently, Negroes had been employed predominantly in unskilled Laborer and Service classifications. Their representation in these classifications is still disproportionately high, Negroes accounting for 32.4% of the Laborers and 51.4% of the Service Workers.

On the other hand, Negroes are under-represented in the highest-skill manual worker classification (Craftsmen). Only 1.5% of the Negro males are classified as Craftsmen and none of the Negro females are so classified. Moreover, the figures show a much lower participation rate for Negro females (6.0% of all females) than for Negro males (12.9% of all males).

The results of this survey indicate that considerable progress has been made in making employment opportunities available for Negroes in the southern textile industry. However, the disproportionate distribution of Negroes among the various skill levels and the low participation rate of Negro females point to the need for affirmative action programs to assure equal employment opportunities for all.

The report prepared for the Commission, Negro Employment in the Textile Industries of North and South Carolina, by Donald S. Osburn, provides a useful framework

for discussion. We endorse the "implications for the future" which Dr. Osburn draws from his analysis, namely that "as a long run goal, the extent and quality of Negro education must be improved," and that "there is much that can and should be done immediately . . . (including) disseminating information about job opportunities, urging geographic and occupational mobility, and encouraging greater Negro participation in available vocational training programs." (Osburn Report, pp. 43-44).

Before proceeding to an appraisal of the approaches which could be most fruitful in enlarging employment opportunities for minority groups, we would like to address ourselves to several references in Dr. Osburn's report which provide a grossly distorted view of the relationship between unionism and Negroes.

1. Effect of Higher Wages

Osburn states that "because they have so little power, unions have not been primarily responsible for raising wages (in the Carolina textile industry). Greater unionization might bring higher wages generally, but it might not necessarily benefit the Negro in the long run." (p. 25). He cites Dewey's suggestion "that unions have an adverse effect on Negro advancement because the more successful a union is in securing higher wages, job security, and better working conditions, the more likely it is that the unionized jobs will attract white workers."

The question of whether unions have been primarily responsible for raising wages in this industry is debatable. We believe that it is no coincidence that each of the general wage increases instituted by the industry in the past eight yeats occurred shortly after TWUA launched massive leaflet distributions at the gates of unorganized mills, calling upon the industry to share its growing prosperity with its workers in higher wages.

Far more important than this question is the inference which Osburn draws that future union wage gains will be inherently inimical to Negro interests. This is a throwback to the discredited doctrine that Negroes should limit their aspirations to the

EV comment that Osburn statement is troublesome

lowest skilled jobs since the higher jobs will attract white workers.

We categorically reject the notion that union success in raising labor standards has an adverse effect on Negro opportunity. Indeed, the facts clearly belie this proposition. Bureau of Labor Statistics data on 1964 average hourly earnings and percentages of non-white to total employment in major manufacturing industries reveal that there is no consistent relationship between an industry's wage level and the proportion of Negroes employed (Appendix VI). High-wage industries like Primary Metals and Transportation Equipment, with average earnings well above the All-Manufacturing average of $2.44, also employ above-average proportions of Negroes (12.1% for Metals and 8.2% for Transportation Equipment, compared to an average of 7.6% for all-manufacturing). On the other hand, low-wage industries like Textile and Furniture employ below-average proportions of Negroes (5.3% and 7.0%, respectively).

2. Effect of Seniority Rules

Osburn offers no statement of his own on this subject but cites Rapping to the effect that "imposed seniority rules may disadvantage non-whites who are relatively recent arrivals from agriculture to the industrial center." (p. 25, Osburn Report).

The fact is that seniority rules are designed to formulate an equitable basis for reconciling the interests of all employees. The notion that an employee accumulates certain rights as his length of service grows is deeply rooted in industrial practice. Such benefits as vacation pay, insurance, pensions and choice of shifts are generally dependent upon length of service. In the same way, it is fitting for an employee's seniority to determine his relative position in case of layoff or promotion. With respect to promotions, southern textile companies generally retain the right to disqualify the senior employee on the basis of their judgment of his qualifications.

Actually, Negro employees have at least as much to gain from seniority rules as do whites. The hallmark of the seniority system is that it substitutes a set of equitable rules for the discretionary powers of management. The exercise of these powers

E V — Possible Negro gains — Commission concern over socially inequitable System

has certainly disadvantaged Negroes in the past and they are bound to benefit from the application of uniform seniority rules. Marshall points out that "unions have made it possible for Negroes to hold their positions in some industries by introducing the principle of seniority." (The Negro and Organized Labor, 1965, p. 143).

It is noteworthy that the author cited by the Osburn Report (Rapping) concedes that union seniority rules might indeed bestow valuable rights upon Negroes but he speculates that if this should occur, unions which are "politically dominated by whites" would be likely to change their rules so as to cancel the Negroes' rights.

We submit that this kind of speculation has no place in a report purporting to provide objective background material for the Commission. All it does is betray the anti-union bias of the author. Unions are damned if they do and damned if they don't!

We submit, further, that the principles which unionism stands for -- the justice of raising the wage and economic standards of workers, and the equity of establishing common rules by which the interests of all employees shall be governed -- are advantageous to nonwhites as well as whites. Surely the Commission cannot condone the theory that the higher wages, job security and better working conditions achieved by unions "have an adverse effect on opportunities for Negro advancement." This is a pernicious theory which we urge the Commission to condemn.

3. Effect of "Strike Violence" on Integration

The Osburn report quotes Dewey to the effect that "the unique social cohesion and cultural isolation, together with the history of strike violence in this industry, discouraged employers from attempting to integrate their work forces." (Osburn Report, p. 26).

This is another statement which tells more about the author's prejudices than about the objective facts. It is nothing more than an apologia for the discriminatory employment practices pursued by employers in this industry.

Marshall notes that "employers are much more important than unions in the economic power structures of most communities, especially in the South." (Op. cit., p.141).

In view of the ruthless domination of textile communities by the employers in this industry, it is absurd to suppose that they would be "discouraged" from attempting to integrated their work forces for the above reasons.

We know of no racial protest strike in the textile industry in the past twenty years. In fact, the most substantial gains in Negro employment and upgrading which have taken place in the past two years were completely free of any worker protest. This bears out Marshall's finding that "the evidence seems conclusive that a firm management position on upgrading will usually prevent overt reaction from white workers, especially where management's policies are supported by the local or international union." (Op. cit., p. 139).

We are confident that the Commission will not be deterred from a constructive approach to the task of enlarging employment opportunities for minority groups by pursuing diversionary theories. We must recognize that this is a complex task requiring affirmative action on many fronts. All parties at interest can contribute to the success of this venture by cooperating fully in a joint effort to overcome the obstacles to true equality of opportunity.

The employers must shoulder the prime responsibility. They do the hiring and they assign new employees to particular departments, which frequently determines opportunities for future upgrading. It is therefore their responsibility to conduct their recruitment in such a way as to assure dissemination of information about job opportunities among all who may qualify. They have the responsibility to adopt hiring procedures which screen applicants on the basis of objective qualifications for the job rather than extraneous factors such as race. They also have the responsibility to institute training programs to enable new employees to learn the requisite skills as well as permitting old employees to upgrade their skills. Finally, they have the obligation to develop equitable rules for affording promotional opportunities which will avoid favoritism and discrimination.

The government also has many responsibilities in this area. Of fundamental importance is its role under the Employment Act of 1946 to assure maximum employment, production and purchasing power. The great gain in Negro employment in the southern textile industry during recent years owes much to the rapid growth in the nation's economic activities, stimulated by the federal government's fiscal policies and Great Society programs.

The state and federal governments have an obligation to improve the operation of our labor markets. More adequate information is needed on the availability of jobs. The counseling services of the state employment commissions need to be expanded and relocation grants provided to facilitate worker mobility.

In the field of education there is a tremendous need for improvement. All levels of government must share in the responsibility for closing the gap between Negro and white educational achievement. There is a particular need for expanding Negro participation in vocational training programs.

The Negro community also has a major role to play in improving the capability of minority groups to take advantage of new opportunities. Community groups can give counsel and encouragement to young people on educational and vocational matters. They may also serve as a clearing house for job information and work with unions, management and government to assure the carrying out of fair employment practices.

The Textile Workers Union of America, AFL-CIO, is dedicated to the task of establishing decent labor standards in the textile industry. Fair employment practices are an integral part of our goal. We have pursued this goal in collective bargaining with employers in the southern textile industry to the benefit of all our members - Negro and white. We intend to continue our efforts in this direction and look forward to cooperating with all interested parties in the achievement of a better life for textile workers.

TWUA Research
January 4, 1967

TEXTILE WORKERS UNION OF AMERICA
Research Department
New York, New York

W #480

APPENDIX I

AVERAGE STRAIGHT-TIME HOURLY EARNINGS OF SOUTHERN TEXTILE WORKERS AND AVERAGES FOR MAJOR MANUFACTURING INDUSTRIES IN THE UNITED STATES, JUNE 1965

Industry	Average a/
All Manufacturing Industries	$2.50
Petroleum refining and related industries	3.13
Primary metal industries	3.04
Transportation equipment	3.02
Ordnance and accessories	3.02
Machinery	2.80
Chemicals and allied products	2.78
Fabricated metal products	2.63
Instruments and related products	2.53
Paper and allied products	2.50
Electrical equipment and supplies	2.49
Stone, clay and glass products	2.48
Rubber and miscellaneous plastic products	2.48
Food and kindred products	2.33
Tobacco manufacturers	2.17
Lumber and wood products	2.09
Miscellaneous manufacturing industries	2.07
Furniture and fixtures	2.02
Leather and leather products	1.84
Apparel and related products	1.78
Southern Textile Industry	1.59 b/

a/ Production workers.

b/ Nonsupervisory employees in nonmetropolitan areas.

Source: U. S. Bureau of Labor Statistics

12/30/66

TEXTILE WORKERS UNION OF AMERICA

APPENDIX II

Resolution on Civil Rights Adopted by Executive Council, Textile Workers Union of America, AFL-CIO July 9, 1956

Historically the fight for civil rights and the battle to organize labor have marched forward together. The bloody battle between steel workers and Pinkerton detectives, and the use of federal troops against Pullman strikers provide memorable chapters in the last century's battles for civil rights. In this century, instances multiply up to the present; none have been more fervent in this struggle than members of our own union. The labor movement supports and applauds advances in civil rights for all groups.

After almost three and a half years in office, the Eisenhower administration has finally submitted election-year proposals for civil rights legislation. These proposals include setting up a commission on civil rights, establishing a civil rights division within the Department of Justice, the prosecution of private persons as well as public officials who interfere with the right to vote in federal elections, and injunctive relief against denial of civil rights.

There is no need for Congressional authorization for a commission on civil rights. The President can and should establish such a commisssion forthwith. The other proposals deserve full support, but since they are inadequate to meet the need, they should be supplemented by the proposals of liberals in the House and Senate.

Legislation is required to abolish the poll tax, still in effect in four states. An anti-lynching bill is required. The Senate and House rules that allow filibustering are in urgent need of change. A national fair employment practices act should be passed; and in the meantime, the Government Contracts committee should more vigorously enforce the non-discrimination clause in such contracts.

From all of this legislation we demand that a union organizer's right to be free from molestation will be finally secured. During the last year, our organizers have been brutally beaten in Sylacauga, Ala., and Gaffney, S. C. The Department of Justice refused our pleas for assistance, claiming that the assaults did not come within the scope of present laws. The current legislative proposals must make injunctive, civil and criminal remedies available against any person who interferes with the right to organize.

We hope that the administration's submission of civil rights legislation in an election year was not a cynical move to substitute pretense for action. We call upon Republicans and Democrats alike to support a full and effective civil rights program that will extend the blessings of democracy to all Americans. To such a program we offer labor's traditional and historical support.

THEREFORE BE IT RESOLVED by the ninth biennial convention of the Textile Workers Union of America, AFL-CIO, that:

1. We call upon Congress to enact the administration's civil rights proposals.
2. We urge that the inadequacies of these proposals be remedied by additional civil rights legislation. The poll tax should be abolished, an anti-lynching bill is required, and a fair employment practices act should be passed. The Senate and House rules that allow filibustering should be changed. Injunctive, civil and criminal remedies must be made available against any person who interferes with the right to organize.
3. We call upon the states and cities of the nation to adopt fair employment practices acts in order to prevent employers who are not in interstate commerce from practicing discrimination.

TEXTILE WORKERS UNION OF AMERICA

APPENDIX III

Resolution on White Citizens Councils Adopted by Ninth Biennial Convention Textile Workers Union of America, AFL-CIO May 18, 1956

In 1954 the United States Supreme Court declared that segregation in the public schools violates the United States Constitution. A year later it ordered the end of segregation "with all deliberate speed." One of the great conflicts in American society has been settled by these decisions. Their consequences are like those that inevitably follow social change of vast sweep and deep implication. Americans most intimately affected by these decisions must obey the mandate of the highest court of the land. Americans not called upon to make the critical adjustments must view efforts at compliance with patience, understanding, tolerance and wisdom. We deplore the President's failure to provide the leadership without which the transition to an unsegregated public school system will be needlessly painful.

Anti-labor forces have seized this moment of confusion to launch a new assault on labor. They have formed White Citizens Councils and allied groups that hide their union-busting objectives behind the mask of an anti-segregation program.

Many of the leaders of these groups have been identified as long-time foes of organized labor. They have been the generating forces of "right to work" legislation and staunch supporters of the Taft-Hartley act. While they claim their goal is to keep Negro children out of white schools, their more serious objective is to keep unions out of unorganized plants. In this objective they have already succeeded in some instances. We expect to meet them many times again as our most bitter foes in future organizing campaigns.

What union organization these groups cannot destroy they hope to sterilize. They plan a fraud even bigger than the "right to work" laws—they hope to talk southern labor into breaking away from AFL-CIO. If they are successful, they will create the largest company union the world has ever seen except those in the Soviet Union. The regional wage differential will become a permanent feature of southern life. Southern labor will sink irretrievably into the morass of second-class economic citizenship.

The recklessness and irresponsibility of the White Citizens Councils was dramatically demonstrated last month when its members brutally attacked a Negro singer in Birmingham, Ala. We congratulate the law enforcement agencies of Birmingham for their speedy apprehension and punishment of these hoodlums.

While the great changes of the times demand patience, tolerance and understanding, the White Citizens Councils and allied organizations promote union-busting and an atmosphere of hate, bigotry and violence. It was this atmosphere in Sylacauga, Ala. and Gaffney, S. C. that produced brutal attacks on our organizers in the last year. Members of labor unions and all who are interested in the economic and social progress of southern labor must spurn these groups as their dreaded enemies.

THEREFORE BE IT RESOLVED by the ninth biennial convention of the Textile Workers Union of America, AFL-CIO, that:

1. We call upon the President to convene a conference of southern governors and provide other moral leadership for the peaceful and orderly transition to an unsegregated public school system.

2. We denounce the White Citizens Councils and allied organizations as enemies of law and order and bitter foes of the labor movement. We call upon members of labor unions and all those devoted to southern progress to scorn these groups.

TEXTILE WORKERS UNION OF AMERICA

APPENDIX IV

Resolution on Civil Rights
Adopted by Fourteenth Biennial Convention
Textile Workers Union of America, AFL-CIO
June 24, 1966

The Civil Rights Act of 1964 opened up all accommodations to the public regardless of race or color. Compliance with its provisions has been virtually universal. It also provided for the desegregation of all facilities receiving federal funds and established an Equal Employment Opportunity Commission to guarantee equal employment opportunities for all.

The Voting Rights Act of 1965 contains the means to end discrimination at the ballot box. The Act provides for federal registrars and other protection in counties where there is discrimination against Negroes and other minorities in registration and voting. Congress has thereby provided a remedy which, if effectively used, could break through the voting discrimination pattern. The extension of voting rights to all persons in the South will contribute to the composition of city, state and federal governments having a better understanding of the need for legislation in the interest of the common people.

The passage of both pieces of legislation were major accomplishments in the continuing effort to abolish racial discrimination in this country, and we commend President Johnson for his courage, his skill and leadership in securing the passage of these laws.

Civil and human rights include the equal administration of justice, equal justice in courts for all men, the right to trial by an unsegregated jury, continued progress in school desegregation, equal and improved educational facilities and protection against unlawful arrests and police brutality.

The struggle for civil rights is part of a struggle to secure equal rights for all minorities, all races, all colors and ethnic groups.

We therefore urge that wherever and whenever prejudice, hatred and discrimination raise their ugly heads, we promptly strike them down.

In some southern communities law enforcement officers, acting in cahoots with employers and reactionary forces, have arrested civil rights workers and union organizers on trumped-up charges. Union organizers have been denied the right to public sleeping accommodations and the right to hire or use public meeting places. They have been the victims of violence by police. We are witnessing a return to the open tactics of vigilantes of the nineteenth century. Federal legislation is urgently needed to safeguard the civil rights of all who are the victims of such violence and harassment.

THEREFORE, BE IT RESOLVED by the 14th Biennial Convention of the Textile Workers Union of America, AFL-CIO, CLC, that:

1. We call upon Congress and the Administration to utilize its full powers to legislate and administer effective laws to prevent discrimination in employment.
2. We recommend the passage of effective legislation making it a federal crime to commit acts of physical violence against and harassment of civil rights workers and union organizers attempting to exercise their civil rights or attempting lawfully to assist others in obtaining their civil rights.
3. We urge that jurors in both federal and state courts be chosen from jury rolls made up completely by chance selection, so that the systematic exclusion of non-Caucasians in both federal and state courts will become a thing of the past.
4. We pledge to continue our close cooperation with men, women and organizations of goodwill within the labor movement, as well as outside of it, to make our country a better place in which to work and live and to rid ourselves of prejudice, hate and discrimination whenever, wherever and against whomever we find it.

TEXTILE WORKERS UNION OF AMERICA
Research Department
New York, New York

APPENDIX V

Table 1. Distribution of Employment in TWUA Southern Bargaining Units Responding to Union Questionnaire, by Sex and Race, 1966

Total employment	18,933
Negro employment	2,098
% of total employment	11.1
Males	14,024
Negro	1,804
% of all males	12.9
% of total Negro employment	86.0
Females	4,909
Negro	294
% of all females	6.0
% of total Negro employment	14.0
No. of units covered	30

January 4, 1967

TEXTILE WORKERS UNION OF AMERICA
Research Department
New York, New York

APPENDIX V

Table 2. Participation Rates of Negro Employees in Occupational Groups in TWUA Southern Bargaining Units Responding to Union Questionnaire, 1966

Occupational Group	Males	Females	Total
Negroes as % of Total in Group			
Craftsmen (Skilled)	1.0	0.0	1.0
Operatives (Semi-Skilled)	9.6	4.9	8.1
Laborers (Unskilled)	37.0	10.9	32.4
Service Workers	53.6	40.0	51.4
Total a/	12.9	6.0	11.1
% of Negroes in Group to Total Negro Employment			
Craftsmen (Skilled)	1.5	0.0	1.3
Operatives (Semi-Skilled)	51.4	74.0	54.7
Laborers (Unskilled)	31.7	13.0	29.0
Service Workers	15.4	13.0	15.1
Total a/	100.0	100.0	100.0
% of All Employees in Group to Total Employment			
Craftsmen (Skilled)	18.3	1.5	13.9
Operatives (Semi-Skilled)	67.3	89.4	73.1
Laborers (Unskilled)	10.7	7.1	9.8
Service Workers	3.6	1.9	3.2
Total a/	100.0	100.0	100.0

a/ Components may not add to totals due to rounding

January 4, 1967

TEXTILE WORKERS UNION OF AMERICA
Research Department
New York, New York

APPENDIX VI

AVERAGE STRAIGHT-TIME HOURLY EARNINGS IN MAJOR MANUFACTURING INDUSTRIES AND NONWHITES AS A PERCENTAGE OF TOTAL EMPLOYMENT, 1964

Industry	Average Straight-time Hourly Earnings a/	Nonwhites as a % of total employment
Primary metal industries	$2.99	12.1
Transportation equipment	2.96	8.2
Machinery, except electrical	2.75	3.3
Chemical and allied products	2.72	6.6
Fabricated metal products	2.57	6.5
Instruments	2.47	2.1
Electrical machinery	2.44	4.9
All Manufacturing Industries	2.44	7.6
Stone, clay and glass products	2.42	9.0
Food and kindred products	2.27	10.2
Lumber and wood products	2.03	17.9
Miscellaneous manufacturing	2.02	14.4
Furniture and fixtures	1.97	7.0
Apparel	1.76	9.2
Textiles	1.71	5.3

a/ Production workers.

Source: U. S. Bureau of Labor Statistics

1/3/67

I am Emory Via, Labor Program Director for the Southern Regional Council, Inc., headquartered in Atlanta, Georgia.

I am pleased that this forum is being held. I trust that it is continuing evidence of the Commission's desire to go beyond the case-by case approach in employment discrimination. As a representative of a Southwide organization, I welcome the attemtion given to the region and to one of our major industries. Indeed as the commission knows, it is the predominant industry in two states affected by this hearing.

I am sure that the Commission will find that there are in the region a number of persons and organizations who will support it fully in its work of implementing the long delayed national policy of ending discrimination in employment and securing equal opportunity for all. I have no doubt that spokesmen for industry can tell you of examples of progress which they have made and point to incidents where a company has gone the second mile in its efforts to assist our society in overcoming the horrendous impact of long run, general, and specific discrimination. It is not a situation which one industry by its efforts alone can find suitable answers, but each of us has the task of tending promptly to our own responsibilities. It stands to reason that some persons are in better situations than others to influence associates, organizations, and community leaders not to be bound by past bad habits and to make moves toward a new and hopeful day for all persons of the region.

In many ways the textile industry is uniquely qualified to provide this kind of leadership within the Carolinas. It is the predominant industry. It has aggressive business leadership. This leadership is an important part of community social, cultural, and political life. It is an industry not characterized just by disparate, localized enterprises but by important economic combinations in the form of chain manufacturing enterprises and manfacturing associations. I have no doubt that the industry's leadership can receive substantial technical and consultative help from the Commission. And there would be available to them other resources of the federal government, which if not yet tapped, could be so with the Commission 's help.

There are private organizations, which though they should not be charged with doing industry's job, would join willingly in supporting constructive efforts by industry. Such support might range from further consultative assistance, to public education, to actual assistance in some phase of the total program which should be undertaken.

I would guess that there are industry leaders that already know what to do. The Commission can certainly lay out a workable plan of how to proceed. Some industry representatives may already be acquainted with the general outlines of programs for affirmative action as recommended by other agencies, such as the Department of Defense in terms of assisting companies to comply with Executive Order 11246 so as not to jeopardize the contractual relationship with the federal government.

If the textile industry through its leadership and associations were to take the initiative, with commission assistance, they could indeed adopt a total program to insure in fact that equal opportunity within the industry had been achieved. You will not miss, of course, my emphasis on actual, in fact achievement as conterposed to statements of good policies on showing of efforts only. Fairness, no longer in the American scene, can satisfied by rituals, even when well intentioned. We are tragically behind in recognizing the reality that performance is what is required. It is required by decency to rpeviously deprived persons, yes, but it is also required by our own sense of self respect as a nation and as a region. It is required by the practical situation of minority groups and their legitimate disatisfaction with the results of American democracy to date, it is required by the intricacies of the U.S. involvement in international affairs which includes an enormous amount of economic activity which in a serious way affects the textile industry, and happily we should all agree, is required by national policy as represented by the Commission's presence here today.

I am not an economist but it would seem that the textile industry's staying power during years of some adversity and its recent prosperity are due to several factors. There include managerial skill, productive development, relative prosperity in the general economy, technological

changes , a productive labor force, and public policies which have afforded the industry a significant degree of protection.

The industry is to be credited for its imagination and skill; however, these attributes afford no excuse for escaping its public responsibilities. And certainly the protection granted by public policy gives a special cause to not just meet the minimum requirements of public responsibility but to seek in everyway to measure up to what the present situation requires, including of course the eradication of discrimination from the entire industry.

The papers prepared by Drs. Osburn and Wallace for the Commission are quite useful. They reveal that the economic pressures of a tight labor market have caused the textile industry to hire Negroes for the first time in significant numbers. The papers document, too, that though a significant percentage increase in Negro employment can be shown, it is due almost entirely to the low base from which the comparison must be made.

Further, the old pattern, to those concerned with employment fairness, continues in that Negroes are severly underrepresented in clerical, skilled, technical, professional and managerial occupations. I hope that industry spokesmen can teel us of agressive programs of recruitment and training to remedy this situation. However, such programs have not come to my attention. '

Those of us concerned with the economic development of the region, must be pleased to rate the decline of textile employment as a proportion of all employment. The Commission will understand that this is not an anti-textile industry statement, but one that favors regional development. It is a comment on the low wage nature of the indsutry. How 'natural' this low wage status, is something that economists can debate. For my part I am pleased to learn from the Osburn report (p.21, "Negro Employment in the Textile Industries of North and South Carolina.") that competition from industrialization created wage increases for Southern textile workers in 1966. It is especially heartening to know that this could be done at a time when the industry was being acclaimed for a high level of profits.

Regarding Section V of the Osburn paper, I am far from certain as to what the impacy of automation will be on the employment of Negroes and the industry's skilled needs requirements. I favor, as a general proposition, creating machines to do man's work. I think we can expect, however, numerous cases of adversely effecting Negro employment unless companies take affirmative action in terms of training. I would guess, for instance, that automatic doffing machinery already threatens the jobs of Negro women hired as doffers in some plants. This could, of course, mean a lack of work and a resultant loss of jobs for a group which the Dr. Wallace's report so clearly shows to be especially disadvantaged.

I am not especially sanguine about leaving to an industry the sole power of determining fairness in employment, for whites or Negroes, when faced with the impact of automation. And we are talking of an industry where the degree of unionization -- a potential balance to management's unilateral decision making-- is woefully small. I do not raise this issue because I think the Commission should invade the theory field of industrial relations, but because, in all candor, it should be expecially alert to the rights of minority workers where there are few other checks on managerial discretion. There are a few points in the Osburn report on which I would like to remakr. At several points he comments, or quotes others, regarding the impact of unions on the availability of opporunities for Negroes. We are talking about the textile industry. The unions in that industry are of importance to the inquiry under way. Because of the rather heated relations bewteen unions and management in the southern textile industry, a certain amount of mis-information and conclusion-jumping sometimes occurs regarding cause and effect

The paper (p.25) raises the question as to whether Negroes might suffer if wages were increased by union action. I submit that all employees <u>within</u> the industry would profit -- Negroes and whites alike. The problem is who is in and who is out. In the textile industry, even if the union represented much more of the workers than its less than 10% share, it would not be the union that would be in charge of admissions. It is true that wages go up <u>and</u> if you have

discrimination, that the favored group will get the jobs if the pay is sufficient for their favored position. But we are presumably talking about being rid of discrimination, and it does not behoove us to even imply that poor wages are an advantage to Negroes as against better wages.

Although there are trades that unions exercise a degree of control of job allocations as implied by Osburn (p.25) this is not the case in the textile industry. If he is talking only about the application of a seniority system, then the question must go to the fairness of the system -- does it discriminate on the basis of race. It is important to recognize that a seniority system is designed to protect workers' rights--not racial rights. It is as important to protect the rights of whites as of Negroes. However, if a system was designed to treat a group unfaily, then I am sure the law under which this Commission operates can reach that situation.

Osburn also used the unfortunate term "strike violence" as a reason why employers were slow to integrate work forces. I fear that this term, to most ears, implies "union" violence. It is true that the textile industry has had its share of industrial relations violence. There is a public record on this matter, so it need not be argued here, but it becomes clear upon reading it that violence may well spring from management or community action. I do not believe that the proposition that violence in industrial relations operated, generally in a special way to keep Negroes out of the Industry.

Later in his paper (p.30) Professor Osburn uncovers the happy truth that when plants in the industry were integrated, that management did not face high labor turnover costs. This is an old truth in the process of ending discrimination in employment which is well understood by the members of this Commission. It is backed by extensive experience under state fair employment agencies and federal programs as well as by the experience of companies that have responded to moral persuastion to integrate well in advance of a legal requirement to do so. It is a lesson useful to the industry of this region. Clear, decisive management action, now backed by law, can

make full integration in employment work. Many companies have historically assumed as an operating cost, the cost of training programs. I am sure that the Textile industry has not differed markedly from other industries in this regard. Today there are unequaled opportunities for federal and state governmental assistance as well as aid from private resources in providing training programs. I trust that there will be an industry initiative to utilize all of these resources and that they will be brought to bear in a very special way on the problems of securing quality employment for Negro men and women.

In closing, I would like to raise a caution for the Commission's consideration. It is a reminder to exercise the greatest care as it approaches the textile industry, with its demand for less expensive labor, to not contribute to again locking-in Negroes into the region's lowest paid jobs. I would suggest here only two steps that may help avoid such an outcome. One, already made, is to be the advisor and prod to see to it that Negroes have full opportunity to enter all jobs at all levels and that responsible parties take affirmative action to prepare Negroes for such jobs. Secondly, the moral influence, technical assistance, and legal authority of this Commission would be used with the higher paid industries of the Carolinas to see that they provide sufficient opportunities for Negroes, too. It is an essential ingredient to our long range progress in employment opportunity, and as a region of developing hope, that Negro workers, on a par with whites, have meaningful alternatives in employment.

Textile Forum

STATEMENT

of

EMORY F. VIA

at the

TEXTILE EMPLOYMENT FORUM

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Charlotte, North Carolina
January 12, 13, 1967

Negro Employment in the Textile Industries of North & South Carolina

Chairman Shulman, Commissioner Holcomb, Commissioner Jackson, I am pleased that this forum is being held. I trust that it is continuing evidence of the Commission's desire to go beyond the case-by-case approach in employment discrimination. As a representative of a Southwide organization, I welcome the attention given to the region and to one of our major industries. Indeed as the Commission knows, it is the predominant industry in the two states affected by this hearing.

I am sure that the Commission will find that there are in the region a number of persons and organizations who will support it fully in its work of implementing the long delayed national policy of ending discrimination in employment and securing equal opportunity for all. I have no doubt that spokesmen for industry can tell you of examples of progress which they have made and point to incidents where a company has gone the second mile in its efforts to assist our society in overcoming the horrendous impact of long run, general, and specific discrimination. It is not a situation in which one industry by its efforts alone can find suitable answers,but each of us has the task of tending promptly to our own responsibilities. It stands to reason that some persons are in better situations than others to influence associates, organizations, and community leaders not to be bound by past bad habits and to make moves toward a new and hopeful day for all persons of the region.

In many ways the textile industry is uniquely qualified to provide this kind of leadership within the Carolinas. It is the predominant industry. It has agrressive business leadership. This leadership is an important part of community, social, cultural and political life. It is an industry not characterized just by disparate, localized enterprises but by important economic combinations in the form of chain manufacturing enterprises and manufacturing associations. I have no doubt that the industry's leadership can receive substantial technical and consultative help from the Commission. And there would be available to them other resources of the federal government, which if not yet tapped, could be so with the Commission's help.

There are private organizations, which though they should not be charged with doing industry's job, would join willingly in supporting constructive efforts by industry. Such support might range from further consultative assistance, to public education, to actual assistance in some phase of the total program which should be undertaken.

I would guess that there are industry leaders that already know what to do. The Commission can certainly lay out a workable plan of how to proceed. Some industry representatives may already be acquainted with the general outlines of programs for affirmative action as recommended by other agencies, such as the Department of Defense, in terms of assisting companies to comply with Executive Order 11246 so as not to jeopardize the contractual relationship with the federal government

If the textile industry through its leadership and associations were to take the initiative, with Commission assistance, they could indeed adopt a total program to insure in fact that equal opportunity within the industry has been achieved. You will not miss, of course, my emphasis on actual, in fact achievement as counterposed to statements of good policies or a showing of efforts only. Fairness, no longer in the American scene, can be satisfied by rituals, even when well intentioned. We are tragically behind in recognizing the reality that performance is what is required. It is required by decency to previously deprived persons, yes, but it is also required by our own sense of self respect as a nation and as a region. It is required by the practical situation of minority groups and their legitimate disatisfaction with the results of American democracy to date; it is required by the intricacies of the United States' involvement in international affairs which includes an enormous amount of economic activity which in a serious way affects the textile industry; and happily, we should all agree, performance is required by national policy as represented by the Commission's presence here today.

I am not an economist but it would seem that the textile industry's staying power during years of some adversity and its recent prosperity are due to several factors. These include

managerial skill, product development, relative prosperity in the general economy, technological changes, a productive labor force, and public policies which have afforded the industry a significant degree of protection.

The industry is to be credited for its imagination and skill; however, these attributes afford no excuse for escaping its public responsibilities. And certainly the protection granted by public policy gives a special cause to not just meet the minimum requirements of public responsibility but to seek in every way to measure up to what the present situation requires, including, of course, the eradication of discrimination from the entire industry.

The papers prepared by Drs. Osburn and Wallace for the Commission are quite useful. They reveal that the economic pressures of a tight labor market have caused the textile industry to hire Negroes for the first time in significant numbers. The papers document, too, that though a significant percentage increase in Negro employment can be shown, it is due almost entirely to the low base from which the comparison must be made.

Further, the old pattern, to those concerned with employment fairness, continues in that Negroes are severly underrepresented in clerical, skilled, technical, professional and managerial occupations. I hope that industry spokesmen can tell us of aggressive programs of recruitment and training to remedy this situation. However, such programs have not come to my attention. And it is with real regret that I must remark on the general absence of statements from industry spokesmen at this hearing.

Those of us concerned with the economic development of the region, must be pleased to note the decline of textile employment as a proportion of all employment. The Commission will understand that this is not an anti-textile industry statement, but one that favors regional development. It is a comment on the low wage nature of the industry. How 'natural' this low wage status is, is something that economist can debate. For my part I am pleased to learn from the Osburn report (p. 21,"Negro Employment in the Textile Industries of North and South Carolina") that competition from industrializtion created wage increases for Southern textile workers in 1966. It is especially heartening to know that this

could be done at a time when the industry was being acclaimed for a high level of profits.

Regarding Section V of the Osburn paper, I am far from certain as to what the impact of automation will be on the employment of Negroes and the industry's skilled needs requirements. I favor, as a general proposition, creating machines to do man's work. I think we can expect, however, numerous cases of automation adversely affecting Negro employment unless companies take affirmative action in terms of training. I would guess, for instance, that automatic doffing machinery already threatens the jobs of Negro women hired as doffers in some plants. This could, of course, mean a lack of work and a resultant loss of jobs for a group which Dr. Wallace's report so clearly shows to be especially disadvantaged.

I am not especially sanguine about leaving to an industry the sole power of determining fairness in employment, for whites or Negroes, when faced with the impact of automation. And we are talking of an industry where the degree of unionization--a potential balance to management's unilateral decision making-- is woefully small. I do not raise this issue because I think the Commission should invade the thorny field of industrial relations, but because, in all candor, it should be especially alert to the rights of minority workers where there are few other checks on managerial discretion.

There are other parts of the Osburn report on which I would like to remark. At several points he comments, or quotes others, regarding the impact of unions on the availability of opportunities for Negroes. We are talking about the textile industry. The unions in that industry are of importance to the inquiry under way. Because of the rather heated relations between unions and management in the southern textile industry, a certain amount of mis-information and conclusion-jumping sometimes occurs regarding cause and effect.

The paper (p.25) raises the question as to whether Negroes might suffer if wages were increased by union action. I submit that all employees <u>within</u> the industry would profit--Negroes

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and whites alike. The problem is who is in and who is out. In the textile industry, even if the union represented many more of the workers than its less than 10% share, it would not be the union that would be in charge of admissions. It is true that if wages go up and if you have discrimination, that the favored group will get the jobs if the pay is sufficient for their favored position. But we are presumably talking about being rid of discrimination, and it does not behoove us to even imply that poor wages are an advantage to Negroes as against better wages.

Although there are trades in which unions exercise a degree of control of job allocations as implied by Osburn (p.25) this is not the case in the textile industry. If he is talking only about the application of a seniority system, then the question must go to the fairness of the system--does it discriminate on the basis of race. It is important to recognize that a seniority system is designed to protect workers' rights--not racial rights. It is as important to protect the rights of whites as of Negroes. However, if a system was designed to treat a group unfairly, then I am sure the law under which this Commission operates can reach that situation.

Osburn also used the unfortunate term "strike violence" as a reason why employers were slow to integrate work forces. I fear that this term, to most ears, implies "union" violence. It is true that the textile industry has had its share of industrial relations violence. There is a public record on this matter, so it need not be argued here, but it becomes clear upon reading it that violence may well spring from management or community action. I do not believe that the proposition that violence in industrial relations operated, generally, in a special way to keep Negroes out of the industry can be supported.

Later in his paper (p. 30) Professor Osburn uncovers the happy truth that when plants in the industry were integrated, management did not face high labor turnover costs. This is an old truth in the process of ending discrimination in employment which

is well understood by the members of this Commission. It is backed by extensive experience under state fair employment agencies and federal programs as well as by the experience of companies that have responded to moral persuasion to integrate well in advance of a legal requirement to do so. It is a lesson useful to ths industry of this region. Clear, decisive, management action, now backed by law, can make full integration in employment work.

Many companies have historically assumed as an operating cost, the cost of training programs. I am sure that the textile industry has not differed markedly from other industries in this regard. Today there are unequaled opportunities for federal and state governmental assistance as well as aid from private resources in providing training programs. I trust that there will be industry initiative to utilize all of these resources and that they will be brought to bear in a very special way on the problems of securing quality employment for Negro men and women.

In closing, I would like to raise a caution for the Commission's consideration. It is a reminder to exercise the greatest care as it approaches the textile industry, with its demand for less expensive labor, to not contribute to again locking-in Negroes into the region's lowest paid jobs. I would suggest here only two steps that may help avoid such an outcome. One, already made, is to be the advisor and prod to see to it that Negroes have full opportunity to enter all jobs at all levels and that responsible parties take affirmative action to prepare Negroes for such jobs. Secondly, the moral influence, technical assistance, and legal authority of this Commission should be used with the higher paid industries of the Carolinas to see that they provide sufficient opportunities for Negroes, too. It is an essential ingredient to our long range progress in employment opportunity, and as a region of developing hope, that Negro workers, on a par with whites, have meaningful alternatives in employment.

Thank you for this opportunity to appear before the Commission.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

FORMAT AND GROUND RULES FOR TEXTILE EMPLOYMENT FORUM, CHARLOTTE, N. C.
January 12-13, 1967

Thursday, January 12, 9 to 12 noon

Opening statement by Chairman Shulman
Statements by members of the staff, Equal Employment Opportunity Commission
Summary statements by: Mr. D. S. Coltrane, Chairman, North Carolina Good Neighbor Council

Industry representative
Minority community representative

Thursday, January 12, 2 to 5 p.m.

Statements by industry representatives

Thursday, January 12, 5 to 5:30 p.m.

Public discussion - comments limited to 3 minutes and no questioning of prior participants permitted

Friday, January 13, 9 a.m. to 12 noon and 2 to 5 p.m.

Statements by invited participants, and by others who have indicated the desire to be heard. (See 3 below). Alphabetical order will be followed unless there is a request to be heard at a specific hour.

Friday, January 13, 5 to 5:30 p.m.

Public discussion - same rules as at Thursday session
Closing statement in behalf of the Commission

"Ground Rules"

1. Statements by speakers are limited to 15 minutes, followed by informal exchange between members of the Commission and the speaker, limited to time of original statement. The members may seek further elaboration of the speaker's views as set forth in his statement. The general public will not be permitted to ask any questions of the participant.

2. All participants to submit prepared material, if possible, by January 6, along with requests for specific hour at which to be heard. Twenty copies of prepared statement are requested.

3. Except for the 30-minute discussion period, persons who were not invited by the Commission must first be interviewed by a Commission representative, and will be scheduled as time permits. The time schedule and designation of persons to be heard will be at the discretion of the Commission.

4. Any public charge of discrimination against a specific individual, employer, union or employment agency is out of order. A Commission representative will be present and available for private consultation with persons who wish to file specific charges of discrimination.

5. A period of 15 days following the close of the forum will be allowed for submission of additional statements.

STATEMENT OF JAMES PIERCE, COORDINATOR
INDUSTRIAL UNION DEPARTMENT
AFL - CIO

To the Textile Forum of The

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

AT CHARLOTTE, NORTH CAROLINA

FRIDAY, JANUARY 13, 1967

STATEMENT BY JAMES PIERCE, COORDINATOR, INDUSTRIAL UNION DEPARTMENT

My work as Coordinator of the Industrial Union Department, AFL-CIO requires that I implement the policy of the IUD throughout a wide range of activities. Primary is the responsibility for directing and coordinating the organizing activities of IUD affiliates throughout the Southeast.

The IUD is a Department of the AFL-CIO, representing approximately 60 International Unions with total membership of over 7 million people and covers all phases of American Industry. Organizers working under my direction simultaneously conduct campaigns in scores of different industries from electronics and automobile to textile and hosiery. In addition to the organizing campaigns in industries I am charged with the task of organizing the 130,000 migrant farm workers in the Southeast.

Nowhere except in the textile industry have I seen such frequent reliance upon inflammatory racial propaganda by employers in an industry in their attempt to maintain control of their employees and the community in which it operates. This was true ten years ago. It is still true today.

This is a letter from a Textile Company to it's employees mailed in 1956 - more than 10 years ago. Allow me to quote from it.

"All over the South today there is deep concern on the question of racial segregation versus intergration. That is a matter on which each person is entitled to his or her own views. This company does not consider that it is appropriate for the company to try to influence you one way or another on this deep or vital issue."

"But we do want to point out to you that the unions have taken and are taking a very extreme position on this matter ...The actual truth is that the unions are working day and night, and pouring out the money they collect in dues, in an effort to eliminate segregation and to bring about the intergration in the schools and elsewhere between the white people and the colored people as rapidly and completely as possible."

"In the case which was before the United States Supreme Court on this question, the CIO, now merged with the AFL in what is called the AFL-CIO, filed an official document in which it stated emphatically and positively that the Union supports the elimination of racial segregation from every phase of American life."

"Further the union urged that segregation should be ended "forthwith" rather than by 'gradual adjustment'. "The document further states" that where the unions have their way, there is likewise no segregation in the use of plant eating places, locker rooms, rest rooms, etc."

"You may have not noticed in the newspapers (this letter continues) that the AFL-CIO at its recent convention took $75,000 of the dues paid to it by the people who are its members and gave this money to the National Association for the Advancement of Colored People, which is the organization agressively working for the wiping out of all racial segregation, both in schools, manufacturing plants and elsewhere." Close quote.

Let me now read to you from a letter passed out by another textile company during an organizing campaign about one year ago. It begins:

"All over the South there is deep concern on the question of racial segregation versus integration. That is a matter on which each person is entitled to his or her own views. This company does not consider it appropriate to try to influence you one way or the other on this deep and vital issue . . ."

On and on this letter goes, repeating word for word what was said by another textile employer 10 years ago.

I call the Commission's attention to a publication called "Militant Truth" which crops up regularly in organizing campaigns. It is mailed to textile workers' homes and the address plates are identical even to misspelled names to the particular company's own plates. Here's an excerpt from a sample editorial entitled "An Evil Coalition.": I quote:

"A closely-knit alliance between the modernist-socialist National Council of Churches, the labor unions and the radical 'Civil rights' organizations has teamed up to undermine constitutional principles and

to promote all manner of radical-socialist social and political ideologies - - -. Self-styled civil rights leaders are betraying the Negro, just as the union bosses are betraying labor. They are only interested in promoting themselves .....not in offering any genuine help to the Negro race." End quote.

Here we have an instance where textile employers not only us racial propaganda to place fear into the hearts of white workers with regard to unions, but also attempt to discredit those organizations which are working to promote equality of opportunity in the eyes of Negro workers themselves.

It was pointed out here yesterday by the Textile Workers Union of America that textile employers still dictate the editorial policies of the local newspaper. Here's a story in a small town paper only a few months ago which carries a list of contributions made by unions to various organizations. Under the headline: "What does the Union Do with All YOUR MONEY? . . . . It spotlights the following contributions:

NAACP, Detroit, $1,000.

NAACP Defense and Education Fund, $1,000.

NAACP National Freedom Fund, $500.

National Urban League, $2,025.

And this newspaper is not content with exploiting anti-Negro feelings in behalf of the town's principal employer. It also utilizes anti-Semitism, spotlighting a $2,000 contribution to the Jewish Labor Committee and an investment of $27,000 in State of Israel Bonds.

It was also pointed out yesterday that, by virtue of its position as chief employer, textile management is able to force the community to submit to its will in a large variety of economic and social matters. In this fashion, during an organizing campaign in a small North Carolina community, it was able to get the Mayor to declare; and I quote:

"In my opinion, when a person joins the Union he is in effect joining the NAACP because the two have become allies in this city."

Even the industry's semi-official publications reflect racial bias. Here's an excerpt from an article in a slick textile industry magazine which injects racism into an attack upon former Commerce Secretary Luther Hodges, a one-time textile executive and governor of North Carolina: I quote from this article:

"In his new book, 'The Business Conscience,' Secretary of Commerce Luther Hodges has not only firmly and unequivocally declared himself to be on the side of the angels, but has also expressed strong doubts that many of his former friends in the textile industry belong in such company. . . "

"It should not astonish anyone who has taken note of the bread and butter requirements of some book publishers and of the ways of some politicians that Mr. Hodges was invited to turn his sensational revelations into a neatly-jacketed salable volume. It is announced on the back of the title page that Mr. Hodges' rayalties for this book are being assigned to the United Negro College Fund and to the Methodist Colleges of North Carolina." Unquote.

Finally, I call to the attention of this forum a quotation from a recent proceeding before the National Labor Relations Board wherein the NLRB Regional Director reported as follows with regard to the anti-union activities of a textile plant manager:

"Witnesses stated that in the course of his remarks, the plant manager displayed to the assembled employees a picture of Walter Reuther standing on the steps of a building with Martin Luther King and said that the picture had been taken in Selma, Alabama; that the IUD had actively and financially supported the civil rights activities of Martin Luther King and contributed substantially to the expenses of the Selma march. It is asserted that the plant manager rhetorically inquired whether his listeners would want part of their dues money to be used to support the activities of Martin Luther King and whether they would wish to be represented by persons who supported and condoned such activities . . . The plant manager admits that he displayed the picture of Reuther and King which he states appeared in a union magazine..."

I cite the foregoing quotations because some people would have you believe that the textile industry is going all-out to remove racial prejudice and job discrimination from the textile communities; that all that is needed is a few years of persuasion, logic, and a sense of justice.

I fervently wish this were so. But all the evidence points to the contrary. If action speaks louder than words, and it does, the truth must be evident to all of us that the textile industry has no intention of releasing it's employees, or it's community, from the

bonds with which they are presently tied; the bonds of economic slavery, racial prejudice, and community domination by the industry.

When occasionally, there is compliance with the law of the land by textile employers it is generally for one of two reasons; because of the current labor shortage----or in order to qualify for government contracts; not because of some miraculous desire to bring the South into the twentieth century. The truth is that racial prejudice and job discrimination pays off for the textile industry in dollars and cents; in higher dividends for the stockholders. It keeps the union out and keeps wages low. Their job is to make money, and if appeals to racial prejudice will accomplish that they will undoubtedly continue to employ it.

We of the IUD are convinced of this. The textile industry sits like a giant in many southern communities. It has demonstrated that it can manipulate, and even ignore, public opinion in these communities. If it decides to open the door--more than just a crack or two--to employment opportunities for Negro workers, it will encounter no serious trouble from it's white workers. Many industries, other than textile, have done so.

All that is needed is the will of the industry to do so. And that, if you please, means surrendering one of its traditional weapons---and I refer to racial propoganda---in combating the efforts of unions to bring a better way of life to all textile workers, regardless of race, color, or creed.

Thank you, again, for the opportunity to address this forum.

ITEMS RECOMMENDED FOR DISCUSSION AT TEXTILE EMPLOYMENT FORUM BY GUEST SPEAKERS

1. Comment, critical or otherwise, on the "Osburn Report" with particular emphasis on additional information or insights which would add to the Commission's and the public's knowledge of trends in the textile industry and enlarged opportunities for minority employees there.

2. Comment upon the Commission's analysis of data from Employer Information Report EEO-1 (to be supplied).

3. Specific recommendations for programs by which the Commission's Technical Assistance Division can work with all interested groups to stimulate the apparent trend of increased Negro employment in the industry, and to increase opportunities for Negroes in white collar and skilled employment.

4. Specific recommendations by which the following agencies or groups can act to meet these goals:

   a. Employers
   b. North Carolina Good Neighbor Council and affiliates
   c. Other state agencies, such as

      Employment Service [women - domestics?
      Education - elementary and secondary; vocational; higher education
      Agriculture
      Welfare

   d. Federal agencies other than EEOC
   e. Community and human relations organizations

5. Statement of any activities within the speaker's knowledge, being conducted by any of the foregoing, which have already resulted in improved job opportunity in the textile industry for Negroes, with particular emphasis upon methods of recruitment, training programs, implementation of equal employment policies by management, overcoming resistance

to change in the work force and the community, etc., from the management, or demand side of the labor market; and any techniques or programs which have stimulated interest in the minority community in seeking and qualifying for jobs in the industry, the supply side of the labor market.

6. If representatives of management from their experience have any comments which would encourage other employers to seek to improve minority group hiring patterns and practices, they should be offered. Information about educational and skill requirements and projections of industry needs for various occupational categories would also be useful.

7. Comment upon increased employment opportunities in North and South Carolina outside the textile industry.

Labor - N.C

Business Observer

Hearings Slated On Textile Jobs

CHARLOTTE—Hearings on employment of Negroes and other minorities in the textiles industry will be conducted Thursday and Friday in Charlotte.

Stephen N. Shulman, chairman of the Equal Employment Opportunity Commission, which will hold the hearings, and two other commission members will hear spokesmen from State and local agencies, civil rights groups and individual complaints.

The American Textile Manufacturers Institute has said it will not take part because the announcement of the public hearings "implied a punitive approach and later events have done little to dispel this impression."

The textile industry provides about 45 per cent of the manufacturing jobs in the Carolinas.

(EV)

Labor - N.C.

Race Discrimination Is Charged to Mills

Ral. News + Observer 1-13-67

CHARLOTTE (UPI)—Charges of "intimidation, coercion and discrimination" were made against Southern textile mills Thursday as the federal Equal Employment Opportunity Commission opened the first public hearings it has ever held on inustrial hiring practices.

About 160 persons were present at the first day of the two-day forum, including many representing mills' management despite an official boycott of the sessions announced earlier by the firms' central trade organization, the American Textile Manufacturers Institute (ATMI)

An ATMI statement had said the forum might "encourage unfounded and irresponsible accusations" and simply holding the hearing "implied a punitive approach" against the mills. Only one industry representative spoke, limiting his remarks to his firm's employment practices.

'First Fired'

Kelly M. Alexander of Charlotte, president of the North Carolina National Association for the Advancement of Colored People, noted during periods of unemployment, "Negroes are the first fired and last hired" and added "we reject the notion that Negroes are not qualified" or untrainable. "One is not born a textile worker," he said.

Alexander called for a "comprehensive investigation" of employment practices and establishment of apprentice training programs "beyond tokenism." He placed part of the blame, however, on "the failure of constructive Negro leadership to have rapport with understanding officials."

Poverty Charge

Paul Swaity, a vice president of the AFL-CIO Textile Workers Union of America, charged the Southern textile industry with manufacturing poverty as well as textiles.

"And its by-products are injustice and inequality. The tools it uses are not only looms, spinning frames and other standard textile machinery. It also relies upon intimidation, coercion and discrimination," Swaity said.

"And it uses them not only on a racial basis, but also against white workers who seek a remedy for the substandard conditions that have been saddled upon them by this industry's traditional low wage policy."

Swaity said "subsidized industrialization" had record progress in the South but nowhere else had workers "been accorded so small a share of the propsperity which this industrialization has brought."

BEST COPY AVAILABLE

Dr. Henderson, Atty. Hollowell Attend:

Labor — South

Southern Textile Mills Charged With Racial Bias At Hearing

1-13-67

ADW

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INVESTIGATION SOUGHT

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(Continued on Page 6, Col. 6)

Southern Textiles

(Continued from Page One)

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SOCIAL CONSCIENCE LACK

"Employers must shoulder the prime responsibility," he said, accusing the industry of being "notorious for its lack of a social conscience" and of violating the National Labor Relations Act "cynically and deliberately."

"....equal employment opportunities cannot be built upon quicksand," he told the commission, set up in July, 1965 under the 1964 Civil Rights Act.

"There must be a strong foundation based upon industrial democracy."

Vivian, W. Henderson, an economist who is president of Clark College in Atlanta, attacked the industry's "extremely poor record on Negro employment .... and .... vicious history of outright exclusion of Negroes..

"The only manufacturing industry that parallels the textile industry in terms of Negro exclusion from employment in the south is apparel, an allied industry," Henderson said.

DISCRIMINATION CHARGED

"All white plants are the rule rather than the exception in East Tennessee, southwest Virginia, North and South Carolina, Georgia, Alabama and Mississippi, and this is the case in places where Negroes make up a significant part of the population."

Citing numerous statistics to back up his charges, Henderson said while 56 per cent of southern textile workers come from rural areas, only 3.8 per cent of rural Negroes could find jobs in textiles and 2.2 per cent in apparels.

EEOC data showed only 8.6 per cent of textile workers surveyed in 1966 were Negro, he said, with Negro women "virtually excluded from employment."

Many mills "located in all white areas to avoid the question of Negro employment," he added, noting the plight of non - college bound youths who "are too sophisticated to work in a white person's kitchen, and a textile mill in their small town .... won't have them."

APPEAL FOR EQUAL HIRING

Other speakers appealing for more equal hiring practices cited figures showing 45 per cent of all industrial jobs in both Carolinas are in textiles and ranking North Carolina 50th among all states in average hourly manufacturing wages with South Carolina 47th.

Commission chairman Stephen N. Shulman, said 13,404 complaints of job discrimination were received in the first 18 months of the EEOC's existence, with more concerning North Carolina mills than from any other state. He said 869 complaints came from North Carolina and 250 from South Carolina.

The hearings followed an EEOC report Jan. 3 that noted Negroes were getting more jobs in Carolinas' textile mills than ever before, although mostly unskilled and concentrated in the lowest occupational categories.

Donald G. Hollowell, Atlanta regional director of the EEOC, urged that industries use "aggressive recruitment" of Negroes as "further evidence of employers' willingness to improve the picture in

(EV)

Hiring of Negroes Slow, Forum Told

Emp-Sou

CHARLOTTE, N.C. (AP)—An official of the Equal Employment Opportunities Commission said Thursday there is evidence of limited progress in the hiring of Negroes in the textile and other Southern industry.

Donald G. Hollowell, Atlanta regional director of the commissions, told a forum that Negro employment in the textile industry in the South is limited "in terms of significant, affirmative action."

Textile industry officials attended the forum, but refused to enter the discussion, saying earlier the announcement of the hearings "implied a punitive approach" and that such "town hall" meetings "can encourage unfounded and irresponsible accusations."

DIRECTOR EXPLAINS

But, Hollowell said, "our efforts here today are in behalf of encouraging and assisting in the kinds of affirmative action that will eliminate the cause of complaints."

He said the affirmative action that would be "further evidence of employers' willingness to improve the employment picture in textiles" is the "agressive recruitment of Negro men and women in the Negro community and placement in all capacities for which they are qualified or qualifiable through training."

Stephen N. Schulman, commission chairman, said the form was called to explore the low ratio of Negro employment, particulary in skilled crafts in the Carolinas textile mills, not to hear complaints.

MORE COMPLAINTS

However, he noted the commission has received more complaints about discrimination in North Carolina than from any other state.

He said in its first 18 months of operation the commission has received 13,404 complaints. He said 869 of these came from North Carolina and 250 from South Carolina.

Schulman said the textile industry provides about 45 per cent of the jobs in manufacturing in North Carolina. He pointed out that forms submitted to the commission by employes show that while non-whites constitute 22.3 per cent of the population of North Carolina and 30.5 per cent in South Carolina, only 8.4 per cent of the textile workers in the two states are Negro.

The American Textile Manufacturers Institute said it would not participate in the forum, although some individual textile firms were represented at the meeting. A commission spokesman said the number of textile firm representatives present couldn't be immediately determined.

1-13-67 Atl Const (EV)

Hiring of Negroes By Mills Studied

Emp-EEOC

CHARLOTTE, N.C. (AP)—The matter of Negro employment by textile firms in the South was explored Thursday at a public forum sponsored by the Equal Employment Opportunity Commission (EEOC).

The industry itself, however, was inclined to bypass the two-day meeting, only two of six textile spokesmen originally on the program remained on the agenda as the forum began, They were Leighton C. Dunlap of the Industrial Relations division of Dupont and Marshall Rauch, president of Pyramid Mills.

Stephen N. Schulman, chairman of the commission, told the gathering that it was thought that "a public forum on minority employment in the industry would be helpful. With the goal of realizing employment opportunities that would be developing, a broadly based exchange of information seemed to be in order."

Schulman said the the EEOC, in its first 18 months of operation, beginning in July, 1965, received 13,404 complaints of discrimination in hiring practices, with 869 from North Carolina and 250 from South Carolina.

Schulman said a study of the Carolinas textile industry was prepared for the commission by Dr. Donald Osburn, at the time at North Carolina State University, but now at the University of Missouri. Schulman said the Osburn study showed "A low utilization of Negroes and a concentration in the low-paying jobs."

Schulman said the purpose of the forum was to study the low ratio of Negro employment, particularly in skilled crafts in the Carolinas textile industry, not to hear complaints.

Donald G. Hollowell, Atlanta regional director of the commission, said that Negro employment in the South's textile industry is limited "in terms of significant, affirmative action."

He stressed that efforts at the forum "are in behalf of encouraging and assisting in the kinds of affirmative action that will eliminate the cause of the complaints."

 Labor- N.C.

Textile Employment Forum Ends

CHARLOTTE (AP)— Education, church and welfare officials were heard Friday as the two-day forum exploring the matter of Negro employment in Southern Textile Mills concluded.

The textile industry took a limited role in the discussions sponsored by the Equal Employment Opportunity Commission, although some mill executives attended.

Watts Hill Jr. of Durham, chairman of the North Carolina Board of Higher Education, said the white community must emphasize speed and support in helping the Negro in North Carolina.

Hill declared, "In the white community the emphasis must be on more speed and support. In the Negro community the emphasis must be on more understanding that an education cannot be given overnight."

He added, "There must be a realization by Negroes that they are not even making full use of educational opportunities which already exist."

Jack Crum, director of Christian social action for the North Carolina Council of Churches, called for efforts to gain equal employment opportunities for all people without regard to race.

He said, "We must cease to be afraid of the Ku Klux Klan."

He asserted, "The fear of many people has been understandable."

Crum said that after he testified in Washington against the Klan a sticker was placed on his office door which read: "The Knights of the Ku Klux Klan is watching you."

He said he laughed at it, but his Negro secretary was frightened by it and he finally removed it from the door.

Clifton M. Craig, commissioner of the North Carolina State Department of Public Welfare reported on the efforts of the agency to aid Negroes.

He said Negroes did not want welfare aid but were put in that position by circumstance and, in many cases, injustice.

Willie Mae McCrimmon, 18-year-old Negro girl, said that two textile mills in her home town in an unidentified Piedmont county discriminated against her. She said that in her town Negroes were not hired by the textile industry, except in janitorial positions.

James Pierce, coordinator for the AFL-CIO Industrial Union Department, stated, "Nowhere except in the textile industry have I seen such frequent reliance upon inflammatory racial propaganda by employers in an industry attempt to maintain control of their employes and the community in which it operates. This was true 10 years ago. It is still true today."

Labor - N.C. 1-14-67

Watts Hill Urges Speed By Whites

EV.

RAL. News & Observer

1-14-67

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[Abor-South]

Textile Firms Scored For Shunning Negroes

W. post 1-14-67

CHARLOTTE, N.C., Jan. 13 (AP)—Two days of hearings into employment standards in Southern textile mills ended today following charges the textile mills practice systematic discrimination against Negroes.

The textile industry and its trade organization, the American Textile Manufacturers Institute (ATMI) did not participate in the hearings, conducted by the Equal Employment Opportunity Commission, but a number of mill executives were in the audience both days.

One mill representative, Leighton C. Dunlay of the Du Pont Co., listened to the numerous charges of systematic and widespread racial bars against Negroes yesterday, then spoke briefly. He said his firm has actively sought to employ and train young Negroes, starting with high school age.

ATMI Charge

Marshall Rauch, president of Pyramid Mills, another large employer, spoke today. He and Dunlap were among six textile executives originally listed as speakers. The others withdrew after the ATMI charged that the sessions might lead to "unfounded and irresponsible accusations."

Jack Crum, an official of the North Carolina Council of Churches, said "we must cease to be afraid of the Ku Klux Klan," and called for efforts to gain equal employment opportunities for all people without regard to race.

At yesterday's session, Dr. Vivian W. Henderson, an economist and president of Clark College in Atlanta, said the textile industry has "a vicious history of outright exclusion of Negroes from the work force in the various plants." He also charged that textile firms" will build plants in all-white areas or near them to avoid the question of Negro employment."

One EEOC official, Donald D. Hollowell, regional director in Atlanta, said that while the textile industry has increased its hiring of Negroes, "there has been limited affirmative action in areas such as the aggressive recruitment of Negro men and women."

EEOC Chairman Stephen N. Shulman cited a report that indicated "a low utilization of Negroes" and concentration of those that are hired to low-paying jobs.

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EEOC Chairman Stephen N. Shulman cited a report that indicated "a low utilization of Negroes" and concentration of those that are hired to low-paying jobs.

Few in Textile Jobs

Shulman said no-whites represent 21.7 per cent of total employment in North Carolina, but only 3.9 per cent of the total are in textile jobs. In South Carolina, Shulman said, nonwhites account for 30 per cent of employed workers, but only 5.2 per cent are in textile jobs.

[In other testimony reported yesterday, NAACP official Kelly Alexander charged that workers at State employment placement offices "contributed to exclusion of Negroes by accepting and filling discriminatory job orders received from the textile industry."

[Shulman announced that the EEOC had received 13,404 complaints since its inception in July 1965. Of these, he said, 869 were filed from North Carolina and 250 from South Carolina. A spokesman for the Textile Workers Union of America said the textile industry, which employs about 45 per cent of all manufacturing workers in the Carolinas, "plays white worker against black worker."]

[It is not certain that these two items were originally part of the same clipping.]

January 16, 1967

The Winston-Salem Journal
Winston-Salem,
North Carolina

Dear Sir:

Would you please send us copies of your paper for Thursday, January 12, Friday, January 13, Saturday, January 14, and Sunday, January 15?

Would you please bill us for the papers? Thank you for your assistance.

Sincerely,

Emory F. Via, Director
Labor Program

EFV/jd

January 17, 1967

Mr. Kenneth Holbert
Acting Director of Compliance
Equal Employment Opportunity Commission
1800 G Street
Washington, D. C.

Dear Mr. Holbert:

It was good to get to meet you in Charlotte at the Textile Employment Forum. In the rush of things there I asked if it would be possible to get a copy of your statement before the forum. This letter is simply to put that request before you in a more orderly fashion. I would be most pleased to have your statement.

Sincerely,

Emory F. Via, Director
Labor Program

EFV/jd

Set Forum

January 17, 1967

Mr. Leighton C. Dunlap
Industrial Relations Division
Dupont, Inc.
Wilmington, North Carolina

Dear Mr. Dunlap:

I was impressed with the affirmative program adopted by Dupont which you reported to the Textile Employment Forum in Charlotte on January 12. I would very much like to have a copy of your statement and wonder if it would be possible for you to send it to me.

Sincerely,

Emory F. Via, Director
Labor Program

EFV/jd

Sit forum

Report From Washington

Labor - South

Carolina Textiles And The Negro Worker

Wilmington Journal 1-28-67

By Bertha C. McNeill

On January 14, I read in The Washington Post of a Public Forum on Minority Employment in the Textile Industry, held in the Public Library of Charlotte, N.C. for two days, January 12-13. Later I read more about it in The Carolinian.

The Forum had been called by the Equal Employment Opportunity Commission (EEOC) in Washington, D. C. Here, thought I, is a story of our Federal Government at work. And it is!

Immediately I called one of the three commissioners, Mr. George Butler and asked for an interview. When I arrived the next morning at one of the desks on the 11th floor, a charming young colored woman asked me to be seated while waiting a few minutes for Mr. Butler, who

(Continued On Page Three)

Carolina Textiles

(Continued From Page 1)

would join me directly. As I sat there, five other young women intent on errands passed me, two of them also colored. And then Mr. Butler, a well-built man with graying hair cordially greeted me and led the way through the Press Room, to an office where a former Washington editor of the Afro-American president--Mr. Alfred L. Sweeney, Deputy Director of Information, EEOC. At several desks in the Press Room sat both colored and white clerks. Both the well-lighted, thoroughly modern building in structure and decor, and its personnel reflected the new spirit of equality in opportunities in the policy of the Federal government.

Mr. Butler enroute had explained to me that the purpose of EEOC is to receive complaints of discrimination in employment in violation of the Civil Rights Act of 1964. Since July, 1965 the Commission has received 13,404 complaints, 869 from North Carolina and 250 from South Carolina.

Why was North Carolina chosen for the first forum? Mr. Butler gave the same answer as that given at the Charlotte meeting by EEOC Chairman Stephen N. Shulman: "You have to start somewhere and this seemed an immensely logical beginning. There is actual discrimination; a low utilization of Negroes with the concentration of those hired in low-paying jobs. There is an increased awareness of the facilities of EEOC." It is also true that the Carolina dominate the textile industry, accounting for almost 43% of all U. S. textile mill production.

Pleading urgent affairs, Mr. Butler left me with Mr. Sweeney who supplied a folder of clippings from the New York Times, the Afro-American, the Charlotte Observer, etc. From those I found answers to most of my questions.

Who Attended the sessions? Educators, church and social workers, welfare officials, and a few executives of industry. As the Textile Manufacturers' Institute had declared a boycott, protesting an implied punitive approach, and the possible encouragement of unfounded and irresponsible accusations, only two industry executives participated in the announced program. Yet at the close of the meeting, E. Sadler Love, secretary-treasurer of the Institute defended industry's policy on the ground of intense competition as one reason for refusing to train on the job hundreds of thousands who lack adequate training. The textile leaders would prefer a private conference between EEOC and them to explore means to facilitate the full utilization of available manpower.

What was the form actually like? Well, the Mayor of Charlotte in his welcome to the group said that Charlotte is interested not only in economic opportunities for the poor but for more and better opportunities for all its citizens. Then Dr. Donald D. Osburn opened the first session by presenting a study of Negro Employment in the Textile Industries of North and South Carolina. His report, covering 406 textile mills in 73 counties, identified changes that have taken place in the industry, indicated some occurring now or are to be expected, and explained the effect, present and expected, on the Negro worker. Historically, the industry has almost excluded Negroes: Even in 1960 non-whites represented 21.7% in North Carolina's total employment but only 3.9% of textile employment. Negro women represent only 3.7% of all female employment.

In 1951 almost no Negro women were employed; Negroes (men) had unskilled jobs only; no Negroes had white collar or supervisory jobs. Marked changes have occurred; 3/5 of 3013 added to the payroll were Negro, an increase of 54.8% for colored men, but 312.7 for colored women. Of 10,211 managers or officials in North and South Carolina 11 are colored. In North Carolina, of the 103 companies which reported in both 1964 and 1965, more than 3,000 employees were added to the payroll with an employment increase of 55% for our men; 758 women instead of the former 184.

Dr. Osburn suggests certain things that we can do ourselves: Get more formal training. Technological changes may or may not work against the colored worker. The fact remains that the demand for technical personnel will increase. The extent and quality of Negro education must be improved. Third, information concerning jobs must be spread, and willingness to move, to go where the job is must be encouraged.

Were there the expected protests, charges, etc.? Yes, but those who told personal experiences of disappointments or inequities could not identify the place or firm. A number, however, were cited. Besides reports of industry's reliance upon propaganda to control their employees and the community, there was also discussion of intimidation, coercion, and discrimination in the textile industry. An N.A.A.C.P. executive charged the State Employment Security Commission with refusal to send Negroes to certain jobs, and a representative from the U. S. Department of Labor admitted that industry rarely participated in federal training jobs or used the federal apprenticeship programs.

Would you call the Forum a success? In his closing statement, Commissioner Shulman said that the Forum could be a success only "if programs come out of it that mean opportunities for minorities are enhanced."

Bertha C. McNeill

ER-8083 REV. 2-64

E. I. DU PONT DE NEMOURS & COMPANY
INCORPORATED
WILMINGTON, DELAWARE 19898

EMPLOYEE RELATIONS DEPARTMENT

January 31, 1967

Emory F. Via, Director
Labor Program
Southern Regional Council, Inc.
5 Forsyth Street, N. W.
Atlanta, Georgia 30303

Dear Mr. Via:

As you have requested, I am attaching a copy of the statement made at the Textile Employment Forum for your use.

If you have any questions or need additional information, please feel free to contact me.

Sincerely,

INDUSTRIAL RELATIONS DIVISION

L. C. Dunlap

LCD mem

Attachment

GEORGIA STATE AFL-CIO

CHARTERED BY AND SUBORDINATE TO AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

DISTRICT VICE PRESIDENTS

LOUIE M. NUNN
1ST DISTRICT

MRS. JIMMYE HATCHER
2ND DISTRICT

RALPH C. TOWNSON
3RD DISTRICT

J. W. HARDEGREE
4TH DISTRICT

MRS. MARTHA TRUE
5TH DISTRICT

MORGAN BOWEN
6TH DISTRICT

A. J. SCOTT
7TH DISTRICT

H. G. FITZPATRICK
8TH DISTRICT

OTIS CHILDERS
9TH DISTRICT

J. HAROLD DYE
10TH DISTRICT

15 PEACHTREE STREET, N. E.
ROOM 208
ATLANTA, GEORGIA 30303
525-2793

EXECUTIVE COMMITTEE

W. H. MONTAGUE, SR.
PRESIDENT

M. J. COUNIHAN
EXECUTIVE VICE PRESIDENT

J. O. (JIM) MOORE
SECRETARY

MRS. LOUISE DEAN
TREASURER

January 31, 1967

Mr. Emory F. Via
Director, Labor Program
Southern Regional Council, Inc.
5 Forsyth Street, N. W.
Atlanta, Georgia

Dear Emory:

Received copy of your statement at the Textile Employment Forum. I want to express our appreciation for the fine job you did and your sincere effort in behalf of all our people.

We are indeed fortunate to have a man of your calibre and integrity to help solve some of our community problems.

If we can assist you in any way, please call on us.

Sincerely yours,

W H Montague Sr

W. H. Montague, Sr.
President

WHM:s
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afl-cio

Case Transfer a TWUA Victory

Stevens Slapped Down by Court

RICHMOND, Va. — The Fourth Circuit Court of Appeals here has transferred the J. P. Stevens Co. case to New York's Second Circuit—a step sought by TWUA—and in effect slapped down the company for maneuvers that skirted the law and made a mockery of due process.

The Fourth Circuit, where the company had filed an appeal from an NLRB order, ruled that a review petition filed by TWUA was timely but that there was "serious question" as to the timeliness of Stevens' filing.

The NLRB order, issued last March, ordered the giant textile firm to restore jobs to 71 workers in Roanoke Rapids, N.C., and Greenville and Rock Hill, S.C., who were fired in an anti-union campaign marked by "flagrant unlawfulness."

The NLRB order was issued at exactly 10 a.m. on March 22. However, the Fourth Circuit found that Stevens filed two appeals before it had actually seen or been served with the board's order. These attempts "to beat the clock"—and make a shambles of due process of the law—took place one and a half hours and three minutes before Stevens was served with the NLRB order.

The NLRB order not only called for the restoration of 71 jobs with back pay and interest, and seniority, but also directed an unusual remedy "to undo the effect of the massive and deliberate unfair labor practices" committed by the company.

In a unanimous decision, the five-member board ordered J. P. Stevens to:

- Mail to each of its workers in each of its North and South Carolina plants —not just those involved in the case— copies of a pledge to comply with the NLRB order and to refrain from any future illegal activities.
- Hold meetings during working time of employees in all plants in the two states and have a company official read the pledge to the assembled workers.
- Give TWUA reasonable access to plant bulletin boards for a one-year period.

The case, a consolidation of many charges filed with the NLRB against the company, arose out of a TWUA campaign, beginning in 1963, to become collective bargaining representatives in 20 Stevens plants in the Roanoke Rapids, Greenville and Rock Hill areas.

38¢ Package Won by TWUA For 700 Workers in Ohio

LOCKLAND, O.—Terms of a new agreement—hailed as the "best ever" negotiated by Local 1495 for the 700 workers at Stearns & Foster here—were ratified at a membership meeting, according to Sol Stetin, regional director.

The three-year contract provides a wage-fringe package estimated at 38¢ an hour.

Wage improvements call for a 4¢ increase on base rates in the first year, 8¢ more in the second and another 8¢ raise in the final year.

Pension plan improvements in the second year mark a significant advance for the workers. At present, only base rates are counted in estimating pension credits — vacation, holiday and bonus pay being excluded. In the future, gross earnings will be the basis for such credits.

Inequity adjustments will provide 10¢ to 20¢ an hour, over and above the general wage increase in the first year, to some 107 workers in the machine shop and garnetting, dye house, bleach and kier-sorting departments.

The new contract also calls for a new Blue Cross 120-day comprehensive family plan to be paid for by the company. Formerly, the workers paid for this protection.

An additional holiday, the day after Thanksgiving, was also written into the pact as well as improvements in the vacation program to provide a third week after 12 years of service instead of 15, and a fourth week after 25 years.

The local also won three days off with pay in the event of death in the immediate family.

The union's negotiating committee included, in addition to Stetin, Carl Johnson, Cincinnati Joint Board manager; Al Backs, president; Walter Coffey, vice president; Remus Smith, secretary; Bill Phillips, chief plant steward, and shop stewards Earl Tankersley and George Meyers.

Lockland (O.) Local 1495 negotiating team members included (l. to r.) Earl Tankersley, Remus Smith, Sol Stetin, regional director; Bill Phillips, Al Backs, Walter Coffey and Carl Johnson, joint board manager.

TWUA Hikes Pay, Fringes in Philly

PHILADELPHIA — Improvements in wages and fringe benefits are now being enjoyed by workers in five plants here as a result of negotiations recently completed by TWUA locals, according to Joseph L. Hueter, joint board manager.

A new two-year contract settlement reached between Local 33 and Atlas Fabrics Corp. provides general wage increases of 7¢ the first year and 8¢ in the second. Other contract gains include an additional paid holiday, a fourth week of vacation after 15 years of service and increases in sick-accident insurance.

Negotiations were carried on by William F. Miller, business agent, and William Berryman, chairman.

At Textile Service Co., Local 208 won general wage increases of 15¢ an hour for machine operators, 10¢ per hour for top rated jobs and 5¢ per hour for the remaining employees in each year of the 22-month agreement. The pact also calls for four weeks' vacation after 20 years of service, an additional paid holiday, improvements in pension plan, effective next year, increases in sickness and accident insurance and a provision for the maintenance of insurance coverage for three years in cases of illness.

General wage increases of 10¢ an hour each year for certain listed workers and 5¢ per hour each year for the others were written into the new two-year agreement reached between Local 208 and Caledonia Dye Works.

Other gains scored for the workers are an additional paid holiday, four weeks' vacation after 20 years, 5¢ per hour for the establishment of a pension plan, with another 5¢ in 1967, and sickness and accident insurance benefits. Negotiations were conducted by Miller and Charles Rhodes, chairman.

A one-year agreement reached with Tackawanna-Hue Wanna Processors will provide general wage increases of 9¢ per hour, an additional paid holiday, four weeks' vacation after 15 years, death-in-the-family allowance of three days and improvements in sickness and accident insurance. Conducting negotiations for Local 208 were Miller and Frank Mariner, chairman.

Pay hikes totaling 20¢ an hour and fringe improvements were obtained by Local 1614 in a new two-year agreement covering some 70 workers at Delaware Ribbon Manufacturers.

The pact calls for 10¢ an hour more in each year, improvements in vacations, sickness and accident benefits and an additional paid holiday.

The union negotiating team included William W. Wilson, business agent, and a committee comprised of Horace McGill, Clare Palumbo and Bette Ford.

Pollock Announces Staff Changes

An appointment designed to take increased advantage of TWUA organizing opportunities was announced at year's end by General President William Pollock.

Paul Swaity, a TWUA vice president and southern director since mid-1964, was moved up by Pollock to the post of administrative assistant to the general president. He will work out of TWUA international headquarters in New York City and will supervise organizing and agitational activities.

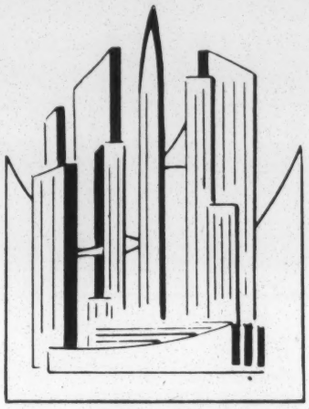
Scott M. Hoyman, assistant southern director, has been named to assume Swaity's duties. He will work out of the TWUA office in Charlotte, N.C.

Swaity, a native of Sudbury, Ont., joined TWUA's staff in 1949 after service in the field of labor education. In the succeeding years he has been an organizer, acting Canadian director and TWUA education director. He is now serving his second term as a TWUA vice president, having originally been elected to the union's Executive Council in June of 1964.

Hoyman came to TWUA in 1948 after service with the Packinghouse Workers Organizing Committee and a stint as an economics instructor. His first assignment was as education and publicity director for the Lewiston and Biddeford-Saco joint boards in Maine. He has since served variously as a political action specialist, an organizing crew leader and as assistant to the coordinator of the AFL-CIO Industrial Union Department's organizing drive in the Carolinas.

Signing new pact that brought a 49¢ package to the workers of Joseph Davis Plastics Co. are representatives of Arlington (N.J.) Local 696 and management.

TWUA's 1967 program of action to improve the quality of life for our membership in the United States and Canada is described in the union's latest publication, whose title page is shown here. Reprinted below are highlights from the new booklet which is available at joint board and regional offices in U.S. and Canadian editions.



FIVE STRIDES TOWARD A FUTURE OF OPPORTUNITY

B-A

Easing the Shock, Sharing the Fruits of Automation

THE textile industry has not faced up to its responsibility in this age of automation. It has appropriated more than two-thirds of the benefits of higher productivity to which textile workers are entitled. Management in other industries has recognized its obligation to ease the burden of adjustment faced by workers affected by technological change.

The President's Commission on Technology, Automation and Economic Progress has recognized that, in order for automation to be acceptable, it must be consciously directed towards human interests and human needs.

▸ We therefore call upon management in the textile industry to fulfill its responsibilities by not only establishing wages and working conditions befitting a modern and efficient industry, but by adopting measures recommended by the President's Commission. These include improved planning of the introduction of new technology so workers can be absorbed during expansions; allowing reductions in the work force to take place through normal attrition; retraining and upgrading displaced workers to new jobs created by automation; providing time off with pay to allow soon-to-be-displaced workers to look for other jobs, and protecting them against forfeiture of earned rights to pensions, insurance and vacation pay.

▸ To assure the fact that automation will not become a threat to the welfare of textile workers, we call upon the industry to establish a Textile Automation Fund which can be used to finance severance pay and provide the necessary assistance for training, education and relocation of workers displaced by technological change.

▸ We urge Congress to enact the legislation required to implement the recommendations of the President's commission. Automation will cease to be a threat only if jobs are available to all and a decent standard of living is assured to every American family.

▸ We urge all our local unions to negotiate for the establishment of employer-financed automation funds as a mechanism for guaranteeing severance pay and financial assistance to workers displaced by technological change.

Wiping Out Poverty

THE WAR against poverty is a struggle in which TWUA has been enlisted since its inception. Indeed, our union and the labor movement in general was born out of the efforts of working people to raise their living standards above the poverty level.

We urge the Administration to formulate a specific program to implement the promise of full employment as the foundation on which the attack on poverty must be built. Such a program should include:

▸ A national planning agency to engage all segments of the population in setting economic growth targets and devising policies for fulfilling them.

▸ Vastly expanded public works to create jobs and provide urgently-needed public facilities and services, many of which will directly benefit the poor.

▸ A shorter statutory work-week.

▸ A realistic federal minimum wage with coverage for all workers in interstate commerce.

▸ Federal standards for unemployment insurance and workmen's compensation.

▸ Increased Social Security benefits for retirees, survivors and the disabled.

▸ Amendment of the National Labor Relations Act to give substance to the right of workers to organize and enable the labor movement to pursue its historic role in waging war on want—organizing the unorganized so they too can enjoy the benefits of collective bargaining.

▶ ▶ ▶ Planting More Seeds for Growth

THE OPPORTUNITY for textile workers to organize looks brighter than at any time in the last two decades. Never in our history has the textile industry been more profitable. Expenditures for new plants and equipment are creating a modern, highly-efficient industry in the U. S. which, in 1965, reaped a fantastic average profit of $1,500 a year for every worker it employed—an all-time high.

Yet, despite their fabulous profits, the unorganized employers remain unresponsive to needs of the workers who made these profits possible. According to the U. S. Bureau of Labor Statistics, textile wages are at the very bottom of the list of our 21 major manufacturing industries. Textile workers are paid $30 a week less than the average for all manufacturing in the U. S. One out of five southern textile workers earns less than the poverty level of $1.50 an hour, or $3,000 a year.

This is the shocking economic and social picture of this industry. Individually and alone, textile workers are weak and helpless. Only by building a strong union can we wipe out the economic and social injustices that have plagued the working men and women of our industry since its inception.

Since our 1964 convention, we have won bargaining rights in approximately 200 plants employing more than 20,000 workers. This is TWUA's greatest advance since 1956. The accelerated progress we are making in the South is an indication that, after years of work, our efforts are beginning to bear fruit. Therefore:

▸ We must step up our efforts to extend organization to non-union plants in every division of our industry in the United States and Canada.

▸ While commending the AFL-CIO, the IUD and the CLC for their help in organization, we must call upon them to intensify and expand their activities.

▸ We must step up our campaign to make every TWUA member conscious of his stake and responsibility in organizing and, by doing so, expand our voluntary organizing programs.

▶ ▶ ▶ ▶ Total Involvement In Political Action

FOR OVER 150 YEARS, American textile workers have been in the forefront of social and economic struggle. Born in the strife and turmoil of the Thirties, our union is fully committed to the necessity of political action to bolster our efforts in the economic field.

We have learned through bitter experience that our hard-won gains at the bargaining table can be nullified or lost by executive order or by legislative action. Very little legislation does not affect, in some degree, the lives of our members and their families. Committed as we are to the proposition that what is good for America is good for labor, we strive unceasingly for those measures that will enrich the lives and enhance the security of all Americans. Much remains to be done. Therefore:

▸ We must provide continued and unswerving support of TWUA's political education programs and policies.

▸ On the local union level, we must maintain and support active and effective COPE-legislative committees, encouraged and backed by our international union.

▸ We must work, wherever possible, within the COPE framework of established state and local central bodies and with other organizations friendly to the aims of organized labor.

▸ We must continue our dollar-drive programs to provide adequate funds for successful political activities.

▶ ▶ ▶ ▶ ▶ More Rewarding Jobs in an Expanding Industry

OUR UNION has played a significant role in the revitalization of the textile industry. The efforts we launched in the Fifties to obtain government assistance bore fruit in the last five years. Included are the One-Price Cotton Law, the International Cotton Textile Agreement, and a government-sponsored Textile and Apparel Technology Center to stimulate basic research leading to the development of new products, processes and markets for textiles.

At the same time, however, imports of textile products have risen sharply and present a major threat to the continued prosperity of the industry. The International Cotton Textile Arrangement has slowed the rate of increase in cotton textile imports, but the influx of wool and man-made fiber products has risen with no letup. Therefore:

▸ We urge the President of the United States to call a conference of principal textile exporting and importing countries for the purpose of negotiating international arrangements for the regulation of trade in textile products, so that domestic markets will not be disrupted by sharp increases in imports.

▸ Above all, however, we call upon management in the textile industry to abandon its outdated, low-wage policies and raise the wages and economic benefits of textile workers to a level commensurate with the standards prevailing in other modern and efficient American industries.

and in Canada . . .

THE UNIVERSITY OF CONNECTICUT
STORRS, CONNECTICUT
06268

February 2, 1967

Mr. Emory Via, Director, Labor Program
Southern Regional Council, Inc.
5 Forsyth Street, N. W.
Atlanta, Georgia 30303'

Dear Emory,

Thank you for sending me a copy of your Charlotte, North Carolina speech.

It is a brave, bold and truthful statement. It is good that you made it. We hope that the EEOC takes heed.

Best wishes.

Sincerely,

Joseph S. Smolen
dc

Joseph S. Smolen
Associate Professor and
Assistant Director
LABOR EDUCATION CENTER

JSS:dc

In NLRB Examiner's Report:

AFL-CIO 2/11/67

Union-Busting Firm Assailed on Tactics

Labor law violations of the J. P. Stevens & Co., Inc., have been so persistent and the testimony of management witnesses so untruthful that "it begins to appear doubtful" that any legal remedy can right the wrongs done to Stevens employes, a National Labor Relations Board trial examiner has concluded.

The examiner was Boyd Leedom, formerly NLRB chairman in the Eisenhower Administration. The Stevens firm, second largest textile chain in the nation and an important government contractor, is headed by Robert T. Stevens, secretary of the Army in an Eisenhower-era Cabinet.

In a report upholding union charges of widespread unfair labor practices in Stevens' Carolina plants, Leedom scored management not only for repeatedly violating employe rights but also for setting policies that he said led many company supervisors to lie on the witness stand.

Leedom declared that "an unending series of unfair labor practices by an employer may result in permanently thwarting concerted action by employes." Conceivably, he said, "other arms of government, with a different approach, may have to take action" if Stevens employes' rights are ever to be enforced effectively.

The former chairman also advised another approach—a "signal from the top" and a "complete conversion" of the Stevens way of doing business.

In his findings, Leedom noted that "those who take an oath to tell

Giant Textile Firm's Union-Busting Assailed by 3rd NLRB Examiner

(Continued from Page 1)

the truth should do so." As for remedies open to the NLRB, he recommended a "cease and desist" order directing the Stevens chain to halt its threats, intimidation and interference with the rights of employes to take part in union activities; and an order restoring 13 fired workers to their jobs, with backpay to their discharge in 1965 or 1966.

Third Decision

The decision—the third of its kind by an NLRB hearing officer against the big textile chain for interfering with organizing drives by the Textile Workers Union of America—brought demands for a congressional investigation into textile industry conduct. The demands come from TWUA Pres. William Pollock and Dir. of Organization Nicholas Zonarich of the AFL-CIO Industrial Union Dept.

"Nearly four years have passed," Pollock said, "since the proceedings against J. P. Stevens began. Not one of the 101 unlawfully discharged workers has yet been reinstated." He continued:

"Trial Examiner Leedom has found that a conspiracy exists in the southern textile industry that has 'denied thousands of employes . . . such economic benefits as may flow' from the labor act." Like two other examiners, Leedom called for new remedies—a "matter to which the 90th Congress should turn its immediate attention," Pollock declared.

"The fact that Stevens, while cynically indulging itself in mass violations of federal labor law, continues to fatten on millions of dollars of federal contracts is a matter for the Johnson Administration's immediate attention," he said.

"There is no justification whatever for rewarding lawbreakers with federal contracts."

The TWUA began an organizing effort in 1963 at Stevens plants in Roanoke Rapids, N.C., Piedmont, S.C., and Greenville, S.C. Management launched a program of opposition that drew repeated union charges of unfair labor practices. Three examiners have now found the company guilty of unlawful conduct and a fourth charge still awaits a hearing.

The NLRB adopted the examiner's findings in one case, which Stevens has asked the 2nd U.S. Circuit Court of Appeals to overturn. In that case, the board ordered management to rehire 71 fired workers. Stevens also has filed exceptions to an examiner's rulings in another case where 17 workers were found to have been unlawfully discharged. The board has not yet acted on the latter.

In the latest case, Leedom found violations by Stevens management so flagrant that he recommended the same extraordinary remedies to protect Stevens employes that were set forth in an earlier case. He advised that Stevens be ordered to grant the union "reasonable access" to all company bulletin boards for a one-year period, and that a "responsible official" be required to read the board's findings to all employes "during working time" and "by departments and by shifts."

Reviewing the testimony of "numerous witnesses who hold positions in middle and lower management echelons of the Stevens firm," Leedom said the facts prove the company "and the persons who share in the responsibility of forming its policy" are "predisposed to defeat the union and the employes . . . even though such opposition involves violating the Labor-Management Relations Act."

Noting that most company witnesses who testified about the firing of union members were "good and decent citizens" with long careers in management for a concern that is well known nationally for many products, Leedom concluded that many of such witnesses lied on the witness stand "without compunction" and in the conviction that it was the accepted and right thing to do.

NLRB reports indicate, Leedom noted, that Stevens is not the only giant of the textile industry in the South that "seems to be rejecting the national labor law."

Benefits of Law Denied

Whether this is due to a coincidence, to a "common understanding" or a fear of jeopardizing its competitive position, Leedom said he does not know, but observed that "whatever the reason, thousands of employes and wide geographic areas are being denied such economic benefits as may flow from the labor act."

Leedom said he is convinced that "substantially all the law violations" of the Stevens firm "must stem from the decision of one man or a very few men at the top of the management structure; and a signal from the top would not only correct the offenses committed against the employes, but would relieve personnel in the lower levels of management of the obviously distasteful duty of participating in an active program" of perverting justice.

Leedom found that in discharging two veteran employes when they became ill, Stevens management acted on a pretext. Such practices, he commented, are "so out of tune with a humane, civilized approach" to industrial relations that "they should shock even those least sensitive to honor, justice and decent treatment."

Such an employer attitude, he said, "suggests retrogression to the unbelievable practices involving child labor" and a review of it "should bring about a complete conversion" in the Stevens way of doing business.

600 Unionists Help URW Win Election

Hawthorne, Calif.—The Rubber Workers emphatically beat back a raid by the unaffiliated Mine Workers' District 50 to retain bargaining rights for 3,881 workers at two Mattel Co. toy plants here and in the City of Industry.

The vote in a National Labor Relations Board election was 1,500 for the URW, 587 for District 50 and 43 for no union.

A major event was a plant-gate demonstration of support for the URW by 600 members of area unions. The demonstration was sponsored jointly by the AFL-CIO Los Angeles-Orange Counties Organizing Committee and the Los Angeles County AFL-CIO under newly elected Exec. Sec. Sigmund Arywitz.

The plant-gate turnout drew broad support from many unions, including a large delegation from the young United Farm Workers Organizing Committee. UFWOC Dir. Cesar Chavez and Assistant Dir. Larry Itliong also helped by meeting with Mattel workers and urging them to stay with the URW, the latter union reported.

URW Pres. Petter Bommarito and Organization Dir. Robert Hill met with the workers and joined the demonstration.

The election campaign was jointly conducted by the staffs of the URW and the two-county organizing committee headed by Dir. William Gilbert.

ASSISTANT ATTORNEY GENERAL

Jenkins
EEOC

Department of Justice
Washington

RECEIVED
MAR 20 1967

March 18, 1967

Honorable Robert W. Kastenmeier
House of Representatives
Washington, D. C.

Dear Congressman Kastenmeier:

Mr. Clark has asked me to reply to your letter of March 6, 1967. I will try to give you specific answers to the questions which you raised in your letter.

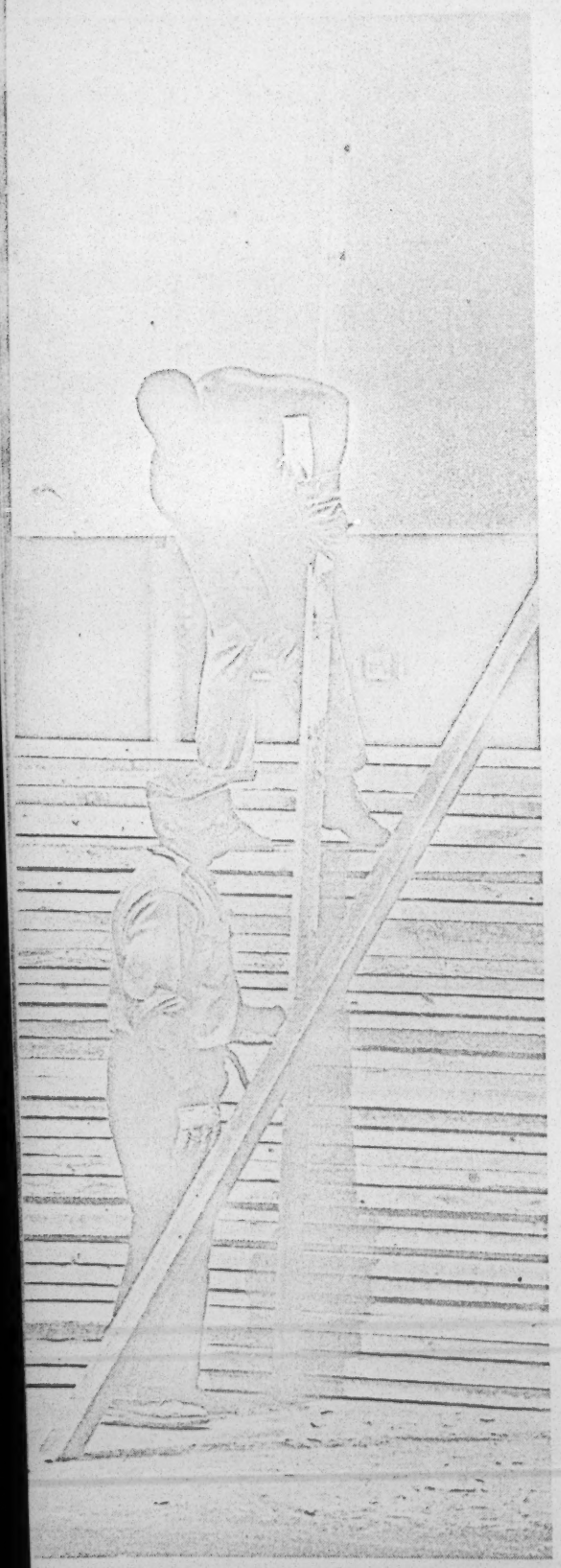
As of January 1, 1967, the Equal Employment Opportunity Commission had referred 10 matters to us with recommendations that the complaints contained therein be considered as a basis for a pattern or practice suit under Title VII of the 1964 Civil Rights Act. I say complaints because whether there was one complaint against an employer or a number of complaints against the employer contained in the file which was referred to us, we would handle it as simply one matter.

In connection with these matters, we have filed one pattern and practice suit against the Dillon Supply Company of Raleigh, North Carolina. This suit was filed on February 27, 1967.

We have returned one file involving an employer in North Carolina because we did not think, after considerable investigation, that there was sufficient evidence to support a pattern or practice suit.

Bigger stick to fight job bias

New Administration moves— an anti-discrimination court suit, a compulsory apprenticeship reporting form, support for a tougher law—signal a new drive for employment reform



Equal chance at good jobs for Negroes, other minorities is Administration goal.

The Johnson Administration's two-year-old drive against discrimination in employment is moving into high gear. The Administration has asked Congress for stronger enforcement weapons against offending employers and labor unions, and is wielding its existing weapons with new vigor.

The Administration is certainly aware of widespread public disillusionment with some civil rights goals and with the techniques used by some civil rights groups to achieve them. It has apparently decided to focus on minority employment as an area that needs reform —and where voters will still support reform to a considerable degree.

Current developments are probably the most significant since the 1964 Civil Rights Act established the Equal Employment Opportunity Commission (EEOC) to investigate and process job-discrimination complaints against employers and labor unions.

Deficiencies. The commission was activated officially on July 2, 1965. Since then, it has processed thousands of complaints. But critics have complained that its procedures have been painfully slow, that it lacks real enforcement powers, and that it has been forced to seek conciliatory solutions even where the situation required stronger measures. Civil rights spokesmen, employers, and union officials have tended to agree that the Civil Rights Act's provisions regarding EEOC rendered it ineffective compared with other federal agencies.

Now, however, the Administration has moved aggressively on three fronts:

- President Johnson urged on Congress a "Civil Rights Act of 1967," which contains strengthened procedures for Title VII, the employment section of the 1964 law. The bill would give EEOC authority to issue cease-and-desist orders against employers and unions, and to seek enforcement of those orders in the U. S. Court of Appeals.
- The Justice Dept. filed a Title VII suit against an employer—an industrial supply company in Raleigh, N. C.—charging the company with following a pattern of discrimination in its employment policies. This is the first such suit by the department despite a number of earlier appeals by EEOC for legal action under the "patterns of discrimination" section of the act.
- EEOC drafted the first compulsory reporting forms requiring detailed accounting of minorities in apprenticeship programs along with a full breakdown of union membership by sex and minority group. The questionnaires, which will become effective later this year, apply to all employers involved in apprenticeship programs with 50 or more employees and all unions with 50 or more members.

The new questionnaires are designed to spotlight the admission of Negroes and other minorities to construction union apprenticeship programs—or their exclusion from them. These programs have been a special target of civil rights groups, which feel that entry into the apprenticeship programs is the most effective way to open up craft-union membership—and thereby construction employment—to minorities.

Detailed. The questionnaire will be the subject of a public hearing later this month. Under present plans, EEOC would require separate reports by each trade and craft, including the number of apprentices of each sex and minority group, plus information on the standards and selection procedures of all apprenticeship programs.

In the Justice Dept. action, the suit against Dillon Supply Co. of Raleigh followed two still-unresolved suits against labor unions charged with discrimination. EEOC had forwarded 17 cases involving alleged "patterns of discrimination" by employers. Presumably Justice Dept. attorneys decided that the Dillon case was the strongest.

Non-opportunity. The suit seeks a court order barring racial discrimination by the company. It charges that "Dillon assigns Negroes to menial low-paying jobs without regard to

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With every change in your business—automation, new products, new processes—there are new risks.

Insurance policies are changing, too. Not a few of these changes originate with Alexander & Alexander. Since the development of new coverages in 1905 to assist the then struggling natural gas industry, A&A has earned a reputation for creating new risk protection for business.

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their qualifications and keeps them in such jobs while providing advancement opportunities to others who are no more qualified."

The Dillon case was one of nearly 14,000 complaints processed by EEOC in its first 18 months—a respectable record considering the commission's newness, its undermanned staff, and the morale-weakening effect of resignations by two of its five commissioners.

The commission recommended investigation of 6,009 of the charges brought against employers, unions, and employment agencies, and completed investigation in about half the cases. EEOC found that violations had taken place in 1,550 cases. It achieved compliance with the law by means of conciliation in 244.

Big backlog. The commission's latest accounting shows more than 2,000 charges still pending. Staff members are making an all-out attempt to reduce the backlog, which has doubled in the past six months, according to Stephen Shulman, head of the EEOC.

Yet despite the volume of cases and the limitations of a conciliatory method, the commission lists some clear-cut successes. Among them:

- An aircraft manufacturing company introduced a Negro training program that increased minority hiring almost tenfold and opened up high-level jobs to Negroes for the first time.
- A Southern bakery company set up training programs for 140 Negroes.

EEOC's current projects include an attempt—unsuccessful so far—to eliminate discriminatory practices among companies in the Southern textile industry. It is also attempting to modify discriminatory testing and promotion procedures in a Southern paper manufacturing plant. It has found that among the first 100 companies to sign the voluntary anti-bias pledges of Plans for Progress, four companies had fewer than 1% Negroes among their employees, and 25 companies had fewer than 3%.

Officials say that the number of complaints received by the commission has far exceeded its expectations. They feel that their experience in the field indicates the existence of "widespread tokenism."

Slow progress. EEOC regards the Negroes' job progress to date as fairly limited. While manpower shortages have helped Negroes to move into some construction jobs and some construction unions, this trend has been slowed by lack of training, officials say. They also note the new obstacle created by the shift of business from the city to the suburbs—relatively few Negroes live in suburbs.

The commission is also looking into the kind of employment testing that discriminates against Negroes by requiring educational and other attainments that are not really necessary for the job—and that most disadvantaged minorities lack. EEOC would like to see testing restricted to the measurement of skills actually required for the job.

Over-all, EEOC places greatest reliance on the strengthened enforcement procedures contained in the civil rights measure now being considered by Congress. A similar bill passed the House in the 89th Congress, but died in the Senate as a result of a filibuster.

This year's measure could meet the same fate, particularly with the gain of conservative votes in the 90th Congress. The outcome will depend in large part, however, on how hard the Administration is prepared to fight for the bill.

Taft-Hartley reopens the shipyards

Electricians were back on the job in shipyards in California, Washington, and Oregon this week—but the dispute that led to their strike four months ago is still far from settled.

The electricians—members of locals of the International Brotherhood of Electrical Workers—went back to 13 yards under a Taft-Hartley Act national emergency strike injunction. Federal factfinders appointed by the President found the wage dispute hopelessly deadlocked and the strike a threat to the Vietnam war effort.

The IBEW locals cite higher skill in demanding a bigger pay increase than those won by other shipyard unions. A union spokesman in San Francisco warned that unless there is "substantial agreement" on IBEW's demands, "in 80 days, we'll be right back where we started—on strike."

Most yards returned quickly to normal or near-normal operations as thousands of laid-off workers returned to jobs. In the Seattle area, however, shipyards reported many workers who had taken temporary jobs elsewhere were coming back slowly. **End**

UNIVERSITY EXTENSION

The University of Wisconsin
432 North Lake Street
Madison, Wisconsin 53706
Telephone: Area Code 608 262-2111

School for Workers

April 24, 1967

Mr. Emory Via
Southern Regional Council
5 Forsythe St., N. W.
Atlanta, Georgia 30303

Dear Emory:

Looking forward to seeing you and Margaret.

On guy familiar with textile industry, without strong union background: can think of no one. Would suggest you talk with some textile or ex-textile union people for possible leads - Payton, Franz Daniels, Doug Boartfield, Scott Hoyman, Joe Pedigo. One of them might know a management or ex-management person who would be suitable.

Sincerely,

Norris

Norris Tibbetts

enclosure

NLT/njo

There are a few points in the Osbourn report on whcih I would like to ~~comment~~ remark. ~~I/have/~~ At several points he comments, or quotes others, re arding the impact of unions on ~~fairness in employment or~~ on the availability of opportunities for Negroes. ~~I assume that we are concerned primarily with the textile industry. My remarks are aimed at commen~~

We are talking about the textile industry. The unions in that industry are of importance to the inquiry under way. Beacusd of the rather heated relations bewtwen unions and management in the southern textile industry, a certain amount of mis-information and conclusion-jumping sometimes occurs regarding cause and effect. The paper(p.25) raises the question as to whether Negroes might suffer if wages were ~~raised~~ increased by union action. I submit that all employees <u>within</u> the industry would profit -- Negroes and whites alike. The problem is who is in and who is out. In the textile industry, even if the union represented much more of the workers than its less than 10% share, it would not be the union that would be in charge of admissions. ~~The/report/says~~ It is true that if wages go up <u>and</u> if you have discrimination, that the ~~a~~ favored group will get the jobs ~~and the pay~~ if the pay is sufficient for their favored position. But we are presumably talking about being rid of discrimination, and it does not behove us to even imply that poor wages are an advantage to Negroes as against better wages.

Although there are trades that unions exercise a degree of control of job allocations as implied by Osbourn(~~on~~p. 25) this is not the case in the textile industry. If ~~I/I/~~ he is talking only about the application of a seniority system, then

the question must go to the fairness of the system -- does it discriminate on the basis of race. It is important to recognize that a seniority system is designed to protect workers' rights -- not racial rights. It is ~~then~~ as important to protect the rights of whites as of Negroes. However, if ~~the~~ a system was designed to treat a group unfairly, then I am sure the law under which this Commission operates can reach that situation.

Osbourn also used the unfortunate term "strike Violence" as a reason why employers were slow to integrate work forces. I fear that this term, to most ears, implies "union" violence. It is true that the textile industry ~~has been~~ has had its share of industrial relations violence. There is a public record on this matter, so it need not be argued here, but it becomes clear upon reading it that ~~Violence is not the sole prerogative of~~ violence may well spring from management or community action. ~~is far from being the sole prerogative of union.~~ I do not believe that the proposition that ~~st~~ violence in industrial relations operated, generally, in a special way to keep Negroes out of the Industry

Later in his paper (p.30) Professor Osburn uncovers the happy truth that when plants in the industry were integrated, that management did not face high labor turnover costs. This is an old truth in the process of ending discrimination in employment which is well understood by the members of this Commission. It is backed by extensive expereince ~~in~~ under state fair employment agencies and federal programs as well as by the experience of companies that have responded to moral persuasion to integrate well in advance of a legal requirement to do so. It is a lesson useful to the industry of this region. Clear, decisive management action, now backed by law, can make full integration in employment work.

Charlotte Speech

(3)

Regarding Section II of the Osborn paper,

I am far from certain as to what the impact of automation will be on ~~textile~~ the employment of Negroes and the industry's skilled needs requirements. I favor, as a general proposition, creating machines to do man's work. I think we can expect, however, numerous cases of adversely effecting Negro employment unless companies take affirmative action in terms of training.

I would guess, for instance, that automatic doffing machinery already threatens ~~already~~ the jobs of Negro women hired as doffers in some plants. This could, of course, mean a lack of ~~wrk~~ work and a resultant loss of jobs for a group which the Dr. Wallace report so clearly shows to be especially disadvantaged.

I am not especially sanguine about leaving to an industry the sole power of determining fairness in employment, for whites or ~~and~~ Negroes, when faced with the impact of automation. And we are talking of an industry where the degree of unionization -- a potential balance to management's unilateral decision making -- is woefully small. I do not raise this issue because I think the Commission should invade the thorny field of industrial relations, but because, in all candor, it should be especially alert to the rights of minority workers where there are few other checks on managerial discretion.

Text

Many companies have historically assumed as an operating cost, the cost of training programs. I am sure that the Textile industry has not differed markedly from othe industries in this regard. Today there are unequaled opportunities for federal and state governmental assistance as well as aid from private resources in providing training programs. I trust that there will be an industry initiative to utilize all of these resources and that they will be brought to bear in a very special way on the problems of securing quality employment for Negro men and women.

In closing, I would like to raise a caution for the Commission's consideration. It is a reminder to exercise the greatest care as it apporaches the textile industry, with its demand for less expensive labor, to not contribute to again locking-in Negroes into the region's lowest paid jobs. I would suggest here only two steps that may help avoid such an outcome. One, already made, is to be the advisor and prod to see to it that Negroes have full opportunity to enter jobs at all levels and that responsible parties take affirmative action to prepare Negroes for such jobs. Secondly, the moral influence, technical assistance, and legal authority of this Commission should be used with the higher paid industries of the Carolinas to see that they provide sufficient opportunities for Negroes, too. It is an essential ingredient to our long range progress in employment opportunity, and as a region of developing hope, that Negro workers have on a par with whites meaningful alternatives in employment.

FOR YOUR INFORMATION

EEOC Hearing

Emory —

Good to see you in Atlanta, tho briefly. Al Kehrer asked me to send you the enclosed.

COURTNEY SICELOFF

PENN COMMUNITY SERVICES, INC.

FROGMORE, SOUTH CAROLINA

People to be contacted in Charlotte, N.C. during EEOC meeting:

JOE PEDIGO
RFD #1, Box 858
Charlotte, N.C.

545-4400 [Res]

Office - 376-7521

Staff: Textile Workers Union of America

[615]

Potential Director

Chattanooga Office 266-2615

2 m Ala

624-3147

Corp's Number

Gloria Reardon with Ben Segal's Office. - Look for

Textile Forum

Henderson —
need for employment of rural non-farm Negroes —
may be greatest need, and least op.
A dependence —

3.8% Negro in non-farm, rural textile
Substantially higher for other industries —
("Not perfect data", but there is a stay-down")

Plant location to avoid question of Negro employment

EV —
Had hoped Mr. O'Shea's oral report would dispel feeling that he looks mainly to ~~[illegible]~~ normal economic forces to take care of problem — determining what is a causative force is troublesome —

Halbert

1,119 Complaints — Carolinas

1/4 textile (260)

22 rejected

18 NC — 4 SC

225 — N.C.

35 S.C.

215 — Negro N.C.

31 — Negro S.C.

39 Males

221 females

197 properly filed & within jurisdiction

185 failure or refusal to hire —

Are employment Security offices referring

2 Complaints involved

70+ involved Employment Services —

Local Neighborhood — low pressure, voluntary, no legislation

73 local Councils

JAMES M. DABBS, PRESIDENT
MARION A. WRIGHT, VICE-PRESIDENT
ALBERT W. DENT, VICE-PRESIDENT
JOSEPHINE WILKINS, VICE-PRESIDENT
RUFUS E. CLEMENT, VICE-PRESIDENT AND CHAIRMAN, EXECUTIVE COMMITTEE
JOSEPH HAAS, COUNSEL
HAROLD C. FLEMING, EXECUTIVE DIRECTOR

Tenth Forum

Southern Regional Council, Inc.
ROOM 201, 5 FORSYTH STREET, N. W. ATLANTA 3, GEORGIA
JAckson 2-8764

A Council to attain, through research and action, the ideals and practices of equal opportunity for all peoples in the South.

I called Will Alred and he said that he would call Love - he did and Love mailed him two copies of his statement which Allred placed in the mail for us. He will mail the clips as soon as he cuts them.

He said that if we did not do a report on the Forum , please let him know and he wants to do one.

He is going to call you the first of next week to talk about something else and you can tell him then if we are going to put out any report on it or not.

jd

Joan

TITLE III OF PROPOSED CIVIL RIGHTS ACT OF 1967 (S. 1026) (OFFICIAL TEXT)

(Note: The following title amends Title VII of the Civil Rights Act of 1964 covering discrimination in employment to give the Equal Employment Opportunity Commission new authority to issue cease and desist orders and to petition for court enforcement of its orders.)

TITLE III

SEC. 301. Section 706 of the Civil Rights Act of 1964 (78 Stat. 259; 42 U.S.C. 2000e-5) is amended to read as follows:

"(a) The Commission is empowered, as hereinafter provided, to prevent any person from engaging in any unlawful employment practice as set forth in sections 703 or 704 of this title.

"(b) Whenever it is charged by a person claiming to be aggrieved, or a charge has been filed by a member of the Commission where he has reasonable cause to believe a violation of this title has occurred, that an employer, employment agency, or labor organization has engaged in an unlawful employment practice, the Commission shall notify such employer, employment agency, or labor organization (hereinafter referred to as the 'respondent') of such charge and shall make an investigation thereof. Charges shall be in writing and shall contain such information and be in such form as the Commission requires. Charges shall not be made public by the Commission. If the Commission determines after such investigation that there is reasonable cause to believe that the charge is true, the Commission shall endeavor to eliminate any such alleged unlawful employment practice by informal methods of conference, conciliation, and persuasion. Nothing said or done during and as a part of such informal endeavors may be made public by the Commission or used as evidence in a subsequent proceeding without the written consent of the persons concerned. Any officer or employee of the Commission who shall make public in any manner whatever any information in violation of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000 or imprisoned not more one year.

"(c) In the case of an alleged unlawful employment practice occurring in a State, or political subdivision of a State, which has a State or local law prohibiting the unlawful employment practice alleged and establishing or authorizing a State or local authority to grant or seek relief from such practice or to institute criminal proceedings with respect thereto upon receiving notice thereof, no charge may be filed under subsection (b) by the person aggrieved before the expiration of sixty days after proceedings have been commenced under the State or local law, provided that such sixty-day period shall be extended to one hundred and twenty days during the first year after the effective date of such State or local law. If any requirement for the commencement of such proceedings is imposed by a State or local authority other than a requirement of the filing of a written and signed statement of the facts upon which the proceeding is based, the proceeding shall be deemed to have been commenced for the purposes of this subsection at the time such statement is sent by registered mail to the appropriate State or local authority.

"(d) In the case of any charge filed by a member of the Commission alleging an unlawful employment practice occurring in a State or political subdivision of a State which has a State or local law prohibiting the practice alleged and establishing or authorizing a State or local authority to grant or seek relief from such practice or to institute criminal proceedings with respect thereto upon receiving notice thereof the Commission shall, before taking any action with respect to such charge, notify the appropriate State or local officials and, upon request, afford them a reasonable time, but not less than sixty days (provided that such sixty-day period shall be extended to one hundred and twenty days during the first year after the effective day of such State or local law), unless a shorter period is requested, to act under such State or local law to remedy the practice alleged.

"(e) A charge under subsection (b) shall be filed within one hundred and eighty days after the alleged unlawful employment practice occurred, except that in the case of an unlawful employment practice with respect to which the person aggrieved has followed the procedure set out in subsection (c), such charge shall be filed by the person aggrieved within two hundred and ten days after the alleged unlawful employment practice occurred, or within thirty days after receiving notice that the State or local agency has terminated the proceedings under the State or local law, whichever is earlier, and a copy of such charge shall be filed by the Commission with the State or local agency.

"(f) If the Commission determines after attempting to secure voluntary compliance under subsection (b) that further efforts are unwarranted, which determination shall not be reviewable in any court, the Commission shall issue and cause to be served upon the respondent a complaint stating the facts upon which the allegation of the unlawful employment practice is based, together with a notice of hearing before the Commission, or a member or agent thereof. Related proceedings may be consolidated for hearing.

"(g) A respondent may file an answer to the complaint against him and with the leave of the Commission, which shall be granted whenever it is reasonable and fair to do so, may amend his answer at any time. Respondents shall be parties and may appear at any stage of the proceedings, with or without counsel. Persons aggrieved may submit briefs or other written submissions on each occasion when such are permitted or directed, may be present to observe at any stage of the proceedings, with or without counsel, and may appeal or petition for review to the same extent as a party, but without the permission of the Commission persons aggrieved may not otherwise participate in the proceedings. The Commission may grant such other persons a right to intervene as respondents or persons aggrieved or to file briefs or make oral arguments as amicus curiae or for other purposes, as it considers appropriate. All testimony shall be taken under oath and shall be reduced to writing.

"(h) If the Commission finds that the respondent has engaged in an unlawful employment practice, the Commission shall state its findings of fact and shall issue and cause to be served on the respondent and the person or persons aggrieved by such unlawful employment practice an order requiring the respondent to cease and desist from such unlawful employment practice and to take such affirmative action, including reinstatement or hiring of employees, with or without backpay (payable by the employer, employment agency, or labor organization, as the case may be, responsible for the unlawful employment practice), as will effectuate the policies of this title: *Provided*, That interim earnings or amounts earnable with reasonable diligence by the aggrieved person or persons shall operate to reduce the backpay otherwise allowable. Such order may further require such respondent to make reports from time to time showing the extent to which he has complied with the order. If the Commission finds that the respondent has not engaged in any unlawful employment practice, the Commission shall state its findings of fact and shall issue and cause to be served on the respondent and the person or persons alleged in the complaint to be aggrieved an order dismissing the complaint.

"(i) After a complaint has been issued and until the record has been filed in court as hereinafter provided, the proceeding may at any time be ended by agreement between the Commission and the respondent for the elimination of the alleged unlawful employment practice, approved by the Commission, and the Commission may at any time, upon reasonable notice, modify or set aside, in whole or in part, any finding or order made or issued by it.

"(j) Findings of fact and orders made or issued under subsections (h) or (i) of this section shall be determined on the record.

"(k) The Commission may petition any United States court of appeals wherein the unlawful employment practice occurred, or wherein the respondent resides or transacts business, for enforcement of its order. The Commission shall, within 30 days after filing such petition, file in the court of appeals certified copies of the record in the proceedings before the Commission and the findings and order of the Commission. Upon timely application, the court may permit any interested person to intervene in the proceeding. Upon such filing, the court shall conduct further proceedings in conformity with sections 701-706 of title 5, United States Code, and shall cause notice thereof to be served upon the respondent and thereupon shall have jurisdiction of the proceeding and shall have power to grant such temporary relief, restraining order, or other order as it deems just and proper and to make and enter upon the record a decree enforcing, modifying and enforcing as so modified, or setting aside in whole or in part the order of the Commission. No objection that has not been urged before the Commission, its member, or agent shall be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the Commission with respect to questions of fact if supported by substantial evidence shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Commission, its member, or agent, the court may order such additional evidence to be taken before the Commission, its member, or agent, and to be made a part of the record. The Commission may modify its findings as to the facts, or make new findings, by reason of additional evidence so taken, and it shall file with the reviewing court such modified or new findings, which

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the parties waived oral argument; and by agreement have dispensed with the filing of briefs.

Upon the entire record in the case, and from my observation of the witnesses, I make the findings of fact and conclusions of law hereinafter set forth, and recommend that Respondent be adjudged in violation of the Act in the particulars hereinafter specified; also that the second or rerun election be set aside and a third election be held in the Dunean plant.

Findings of Fact and Conclusions of Law

There is no dispute that J. P. Stevens & Co., Inc., Respondent herein, is an "employer," and that the Textile Workers of America, AFL-CIO, is a "labor organization," within the meaning of the Labor Management Relations Act; and I find that the allegations of paragraphs 2 and 3 of the complaint respecting the nature, conduct and volume of the business of Respondent, all admitted by Respondent in its answer, are true and correct and that Respondent is an employer engaged in commerce within the meaning of the Act; also that the Textile Workers Union of America, AFL-CIO, is a labor organization, a matter also admitted by Respondent.

Observations on Credibility

Because of the somewhat unusual number of witnesses whose testimony is discredited in this case, and because of the background, that is, the decisions in the two preceding cases involving the same Employer and Union as are here involved, I deem not only pertinent but desirable this general statement concerning the credibility findings hereinafter made.

As will appear, where there has been a direct conflict in testimony of witnesses called by the Respondent and those put on the stand by the General Counsel, I have in the main credited the testimony adduced by the General Counsel. The resolution of credibility conflicts in judicial and quasi judicial proceedings is always unpleasant, and often a very difficult task. Objective as the finder of the facts seeks to be, and, however carefully he tries to find out what really happened, still he is not divinely ordained to pronounce the truth. His findings only "stand in" for the facts in the imperfect administrative and judicial processes.

These views on credibility resolution are set forth, in part because many of the findings hereafter made reject the testimony of numerous witnesses who hold positions in middle and lower management echelons of the Respondent Employer. I am charged with, and do take notice of the previous cases, which legally establish at this point that Respondent, and the persons who share in the responsibility of forming its policy in dealing with the Union here involved, are predisposed to defeat the Union and the employees, in their right to act in concert respecting wages, hours, and working conditions, even though such opposition involves violating the Labor Management Relations Act. Apart however from this unfavorable background respecting Respondent's attitude toward the rights of employees as fixed by Federal enactment, I reject the testimony of Respondent's witnesses, hereinafter not credited, on the basis of my own best judgment, independently formed from the demeanor of all the witnesses, and after weighing the consistency and believability of the testimony for and against Respondent; and such resolution has not been easy. For most of the men who took the stand in Respondent's behalf (and testified one after the other that various discharges involved herein were for reasons that do not violate the Act) appeared to me in all respects (excepting the unbelievable position they took as to such discharges) to be good and decent citizens with long and favorable careers in management for a concern that is well known nationally for many products it manufactures. Such witnesses, who

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took an oath to tell the truth, offered evidence not accepted here, which if colored or untrue, nevertheless was offered seemingly without compunction. How they could do this, if they did, is a question that had to be resolved in deciding the issues in this case; but the question has broader implications.

The reports of the NLRB indicate that Respondent is not the only giant in the textile industry, doing substantial business in the so called "South," that seems to be rejecting the national labor policy. It is not generally known whether this position is due to a coincidence, to a common understanding, or to a fear on the part of each that if it should break the barrier into enlightened employee policy, it would jeopardize its competitive position. Whatever the reason, thousands of employees and wide geographic areas are being denied such economic benefits as may flow from the LMRA.

It is well known to all persons having more than a casual interest in labor-management relations within the country, that these areas (including the locations of the plants here involved) reject in greater or lesser degree, and in ways less subtle than in some other parts of the nation, the concept of collective bargaining. This knowledge is so common that not even those who are the judges in labor cases need remain ignorant of the fact. In conformity with such common knowledge, I have the inescapable but independently reached, conviction, erroneous as it may be, from having heard innumerable witnesses at the trial, and having carefully digested and reviewed their testimony from the typewritten transcript, that many of the witnesses called by Respondent testified as they did pursuant to a policy, made at a higher level of management than theirs, to defeat this Union's organizational effort at the cost, if necessary, of committing unfair labor practices and then denying the unlawful acts in the process.

If I am right in the foregoing conclusion, and of course it is my best judgment that I am right based on all that I have seen and heard in the conduct of the hearing, then the responsibility of each person on the firing line, who was called upon to act as a witness in the unlawful denial of the employees' rights, is freed to a greater or lesser degree of individual guilt feeling, because the policy and the project he serves extends beyond himself, becomes not only plantwide, but companywide, industrywide, and large enough in some instances to encompass whole communities. In the process something in the nature of a crusade seems to develop in which means toward the end, that would be wholly rejected by the individual if the affair were entirely his own, are not only accepted and utilized but assume certain aspects of virtue in that the actors seek to overcome a common enemy, an evil that here takes on the form and name of unionism. And so either believing or rationalizing that their position is just, they engage in the common error of fighting real or pretended "evil" with evil. A dual standard of conduct - that is one standard for the individual, and another for an organized effort- has been recognized and applied throughout the history of mankind. War, out of which national heroes are born and are greatly honored by us all, is the prime example.

If such dual standard of morality played any part in the denial of employees' rights in this case, as I believe it did, then of course it is the duty of a public official to right the wrong insofar as his function permits; and that is what I here seek to do, greatly deploring what seemed to me to be a flagrant breach by many of the promise made under oath to tell the truth.

The foregoing discussion finds its justification in the rule that requires not only findings and conclusions in a Trial Examiner's decision, but also his reasons or basis therefor. The decision in this case depends almost entirely on a resolution of credibility conflicts in the evidence, and the parties are entitled under the rule to know, and to understand the thought processes if possible, that undergird the resolution of such conflicts. And underlying the discussion is a faint hope that something here written might tend to produce a new appraisal in some quarters of the methods used in opposing employees' rights to organize. For if, as I believe and find, there has been a deliberate intention on the part of some to bring about a result in this case not based on truth, such persons will not only add substantially to the measure of human misery if they succeed, but more importantly, perhaps, they have added their very considerable weight to the persistent and pervasive disregard of the rule of law, that now afflicts our society. This case and the two preceeding it in this labor conflict, and many similar cases as well, could serve as an incentive for a sober reappraisal of the importance of the simple principle that those who take an oath to tell the truth should do so. There is a wide area of lawful opposition open to employers for resistance to their employees' efforts to organize. To go beyond the lawful limits wilfully is wholly inexcusable.

The discussion under the heading Observations on Credibility, however, serves in the main as an important factor in the rejection of the testimony adduced on behalf of Respondent, where such testimony is not credited.

I deal with the various allegations of discriminatory action affecting employment in the order that evidence was introduced as to the several cases.

The Dunean Plant

Aubrey Kent, 8(a)(3), and 8(a)(4)

Aubrey Kent went to work at the Dunean plant in June, 1945 and was discharged August 11, 1965. When discharged he was a loom fixer and held such position for about 8 years.

It is conceded by Respondent, and the evidence clearly discloses, that Kent had been active in support of the Union's effort to organize the plant, and had testified in Board proceedings, against the interest of Respondent, prior to his discharge; and that Respondent had knowledge of both his union activity and his participation in the hearings. As a union supporter Kent had signed a card early in the Union's organization campaign, his name appeared on union leaflets and his activity increased and became open after he first testified in a Board hearing. He became a member of the Union's organizing committee. He was an observer for the Union in the first election. He wore a union button in the plant and during workbreaks encouraged employees to join the Union and obtained signatures from some on union membership cards. He helped pass out union leaflets both mornings and evenings, before and after work.

The evidence discloses and I find that during the course of his employment of about 20 years, Kent had worked steadily up the line of progression in jobs and had been commended numerous times by supervisory personnel on the quality of his work.

election therefore invalid. For these reasons I recommend that the election be set aside and that another election be held to determine the desires of the employees in the appropriate unit respecting their representation for collective bargaining purposes by the Union.

Copies of the newspaper, The Observer, were admitted in evidence pursuant to the Regional Director's reference to the Trial Examiner of the question whether its circulation among Respondent's employees constituted a valid objection to the election. In the Regional Director's order he said of The Observer, ". . .standing along, /the material in it/ does not warrant the setting aside of the election." And of the evidence he developed in his investigation of the objections he said it did not compel the conclusion that Respondent furnished names and addresses or subscribed for the publication in its employees' behalf. He recognized that in the context of other objectionable conduct, and even though its circulation might be through the intervention of a third party, such use of the newspaper might constitute objectionable conduct.

Even though the circumstances of employees receiving The Observer without subscribing for it, as several testified, and even though its anti-union material is often inflammatory, I am reluctant to rely on it in any degree as grounds for setting aside the election, and do not do so. I am not completely persuaded that the circulation of the newspaper goes beyond the limits of free speech allowed an employer by the Board in his resistance to the organization of the employees.

The Remedy

Having found that Respondent has engaged in certain unfair labor practices I shall recommend that it cease and desist therefrom and that it take certain affirmative action designed to effectuate the policies of the Act in the particulars set forth in the Recommended Order. For the reasons which are stated in Consolidated Industries, Inc., 108 NLRB 60, 61, and cases there cited, I shall recommend a broad cease and desist order. Where the recommendation is to make an employee whole for any loss of earnings suffered as a result of discharge or other discriminatory action, the sum to be paid him shall be computed in accordance with the formula stated in F. W. Woolworth Company, 90 NLRB 289, with interest thereon at 6 percent per annum, as provided in Isis Plumbing & Heating Co., 138 NLRB 716.

It begins to appear doubtful if any remedy legitimately devised within the frame work of the Labor Management Relations Act will right the wrongs of an employer who persists in violations in the way the Respondent has persisted. I take notice that since this proceeding began a fourth complaint has been filed against Respondent. An unending series of unfair labor practices by an employer may result in permanently thwarting concerted action by employees. Conceivably other arms of government, with a different approach, may have to take action if this Respondent's employees' rights are ever effectively enforced. Apparently the Board recognizes this difficulty, and in the first Stevens case applied unusual remedies. I provide such remedies in this case.

RECOMMENDED ORDER

Upon the basis of the above findings of fact and conclusions of law, and upon the entire record in the case, it is recommended that J. P. Stevens & Co., Inc., its officers, agents, successors and assigns shall:

Check – Norgren
Marshall
Northrup
BNA

Research check the books on So Econ & Engle. re Textile refences –

(1)

Coll: Brown

can go to 7 pages

Put here on EEOC to go beyond hearing, use its initiatory powers,

(3)

I am not an economist but it would seem that the textile industry's staying power ~~during a time of some adversity~~ during years of some adversity and its recent prosperity ~~recent prosperity and its staying power~~ Pattern of Practice

~~is~~ are due to several factors. These include managerial skill, product development, relative prosperity in the general economy ~~general economic prosperity (relatively)~~, technological changes, a productive labor force, and public policies which have afforded the industry a significant degree of protection.

The industry is to be credited for its imagination & skill; however, ~~its imagination and skill are certainly not excuses for escaping ~~spm~~~ these attributes afford no excuse for escaping its public responsibilities. ~~public responsibilit es and ~~the~~~ ~~the public~~ protection granted by ~~the~~ public policy gives ~~really a~~ special ~~to~~ cause to not ~~only~~ just meet the minimum requirements ~~to~~ of public responsibility but to seek in every way to measure up to what ~~the situation requires – the nation now requires of us all.~~ the present situation requires, including, of course the eradication of discrimination from the entire industry.

(2)

I am pleased that the ~~hearings are being~~ this forum is being held. I trust that it is continuing evidence of the Commission's desire ~~to~~ go beyond the case-by-case approach in employment discrimination ~~go beyond a case by case complaint orientation, as a rep of ogg. southwid welcome atten ion given the region and~~ As a representative of a Southwide organization, I welcome the attention given the region & to one of our major industries. Indeed as the commission knows, it is the predominant industry in the two states ~~most directly~~ affected by ~~the~~ this hearing. I am sure that the Commission will find that there are in the region a number of persons and organizations ~~which~~ who will support it fully in its work of implementing the long delayed national policy of ending discrimination in employment and securing equal opportunity for all. I have no doubt that spokesmen for industry can tell you of examples of progress which they have made and point to incidents where a company has gone the second mile in its efforts to assist our society in overcoming the ~~terrb~~ horrendous impact of long run, general and specific discrimination. It is not ~~an~~ a situation which one industry ~~alone~~ by its efforts alone can find suitable answers, but each of us has the task of tending promptly to our own responsibilities. It stands to reason that some persons are in better situations than others to influence associtates, organizations, and community leaders not to

~~not~~ be bound by past bad habits and to ~~move to~~ make moves toward a new and hopeful day for all persons of the religion ~~with alacrity.~~ ¶ In many ways the textile industry is uniquely qualified to provide this kind of leadership within the Carolinas. It is the predominant industry. It has aggressive business leadership. This leadership is an important part of community social, cultural, and political life. It is an industry not characterized just by ~~a just~~ disparate, localized enterprises but by important economic combinations ~~both in~~ in the forms of chain mfg enterprises and ~~in the form of~~ mfg assns. I have no doubt that ~~they~~ the industry's leadership can receive substanital technical and consultative help from the Commission. And there would be available to them other resources of the federal govet, which if not yet tapped, could be so with Commission help. ¶ There are private organizations, whcih though they should not be charged with doing industry's job, would willingly join in supporting constructive efforts by industry. Such support might range from further consultiative assistance, to public education, to actual assistance in some phase of ~~the~~ the total program which should be undertaken.

~~Trading Benefits If they are Sure and Fair Sure and of Justice~~

I would guess that there are industry leaders that already know what to do. The Commission can certainly lay out a workable plan of how to proceed. Some industry representatives may already be acquainted with the general outlines of ~~a~~ programs for affirmative action as reccommended by ~~the~~ other agencies, such as the Department of Defense ~~the defense dept.~~, in terms of assiting companies to comply with Executive Order 11246 ~~into compliance~~ so as not to jeopardize the contractual relationship with the federal government. ¶ If the textile industry through its leadership and associaltions were to take the initiative, with commission assistance, they could indeed adopt a total program to insure <u>in fact</u> that equal opportunity within the industry had been <u>acheived</u> You will not miss, off course, my emphasis on actual, <u>in fact</u>, <u>acheievement</u> as counterposed to statements of good policies or a showing of efforts only. ~~Equality~~ Fairness is no longer in the American scene, ~~is~~ ~~someting to~~ can be satisfied by rituals, even when well intentioned. We are tragically behind in recognizing the reality that ~~far beyond the time when~~ performance is what is required. It

(3)

to previoulsy deprived persons,
is required by decency, yes, but it is also required by our own sense of self respect as a nation and as a region. It is required by the practical situation of minority groups and their legitimate disatisfaction with the results of American democracy to date, it is required by the intricacies of the U.S.inovlvment in internationsal affairs which includes and enormous amount of economic activity which in a serious way affects the textile industry, and happily (and ~~I think at this point all of us, industry, unions, private citizens, community, action organizations should underscore happily), fairness~~ is required by national policy as represented by the Commission's presence here today.

private citizens

WES hoped all agree

that

Performance

(3)

Testing, Training, Upgrading

My activities prior to my connection with the Union included:

Southern Railway Company's offices in Cincinnati, Washington and Atlanta -

Bookkeeper

Head bookkeeper

Head clerk in payroll department (IBM)

War Assets Administration (previously ReconstructionFinance Corp.) -

Unit head

Section chief

Organization and Methods Examiner

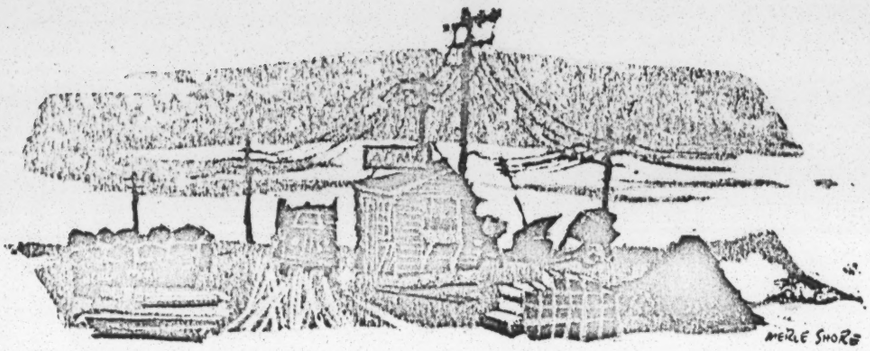
Assistant Deputy Director - Operations

Outside activities -

Scoutmaster

Instructor for classes of Scoutmasters

Labor -
1965
The Reporter 11-18-65



Labor Drives to Close The South's Open Shop

VERA RONY

"WHAT we have just heard," said the angry congressman from Florida, "is a diatribe against the South, a blanket indictment of Southern employers, and an inflammatory racist statement that is beneath the dignity of this committee."

The speaker was Republican Representative Edward J. Gurney, and the occasion was a September hearing by the House Committee on Education and Labor to determine if it should conduct an investigation of the national labor laws and their administration by the National Labor Relations Board. Significantly, his remark was directed not at an aggressive union witness but at the committee's own chief investigator, Odell Clark. On the basis of an extensive fact-gathering tour, Clark had reported that Southern textile workers—Negroes more than whites—were being harassed, intimidated, and threatened with physical violence by employers determined to thwart their efforts to organize.

Clark's charge, supported by subsequent testimony from union officials, accomplished more than just incurring Gurney's wrath. Its immediate effect was to focus public attention on a relentless multimillion-dollar struggle with as many historic implications for the South as the first Freedom Ride or the march from Selma to Montgomery. Perhaps more, since this campaign concerns black and white, all those of both sexes who work in the mills, factories, stores, and offices in the eleven states of the old Confederacy.

Fired After Fifty Years

Although this is largely a bloodless conflict, it has had its casualties, among them Jess F. Cudd, who was fired in January, 1964, from his job as a doffer for J. P. Stevens & Co., Inc., in Whitmire, South Carolina. When Cudd appeared before the NLRB, the sixty-three-year-old worker told the trial examiner that he had gone to work for Stevens in 1913.

Q. During your fifty years down there, Mr. Cudd, before the union came in, had you ever been written up [reprimanded] for your work?

A. Not as I know of.

Q. Had there ever been any complaint about your work?

A. No, sir.

Cudd, the NLRB concluded, was fired because of his enthusiasm for the Industrial Union Department, AFL-CIO, an aggregate of fifty-six unions, about twenty of which two years ago launched a series of organizing campaigns against Southern industries, including the first labor challenge in a decade of a major textile chain—J. P. Stevens, the second largest producer in the largest open-shop industry in the country.

Beginning in 1955, the Textile Workers Union of America attempted to organize the world's biggest textile complex, Burlington Industries, Inc. According to the man who headed the union operation, Lawrence Rogin, now the AFL-CIO's education director, the Burlington effort was terminated by the union after a bitter campaign marred by racial propaganda, anti-union publicity, and, most telling, large-scale dismissals of workers who, Rogin insists, were pro-union.

Hence, the IUD rejected Burlington as its primary textile target in 1963, and decided to concentrate on Stevens, a company geographically centralized, typical of the industry in terms of wages and working conditions, and financially capable of making dramatic improvements in both. According to *Fortune*, which joined in "the jaunty, brassy celebration" of the firm's 150th birthday in 1963: "In the whole history of U.S. business there has never been anything quite like Stevens. Its uniqueness goes beyond being the world's oldest diversified textile company. Over the century and a half, the management of the firm has passed from father to son in a direct line. . . . Among some one hundred families who started woolen mills in the U.S. in the years 1800 to 1815, the Stevenses are the sole survivors. And generation after generation of Stevenses has shown industry how to survive and prosper by sinuously working around obstacles, by unsentimentally jettisoning outmoded traditions. . . ."

The headquarters of the Stevens empire takes up sixteen stories of a building in New York's garment district. Presiding over its more than sixty mills and some 40,000 workers is Robert T. Stevens, Secretary of the Army early in the Eisenhower administration. He was described in *Fortune* as "a gentlemanly, reserved fellow" whose bitter, bruising experiences in the Army-McCarthy hearings taught him, in his own words, something about "human relations." Among the humans with whom the former Army Secretary has relations, albeit distant, are the 3,000 workers in the five Stevens mills in Roanoke Rapids, a serene, bucolic town (pop. 16,171) in eastern North Carolina.

An Appalling Callousness

On a chilly day last February, I followed one of the meandering roads leading out of Roanoke Rapids to

PAGINATION INCORRECT

a primitive concrete-block building to meet Jim Pierce, the co-ordinator of the IUD and Textile Workers organizing campaign in the Southeast. Included among Pierce's impressive credentials is the chairmanship of the Texas AFL-CIO's civil-rights committee in 1957, when it issued a pioneering manifesto condemning segregationist unions at a time when the national federation was approaching the issue cautiously.

"This campaign to organize Stevens is a new approach by a new union setup determined to create a new South," Pierce said. "Instead of one union, like the Textile Workers, going in to tackle one plant—and practically inviting the company to shut that plant down, as in the well-known Darlington case in 1956—the IUD is tackling twenty-five of Stevens's forty-odd plants in the Carolinas. As soon as a plant is ready for an election, we send in a group of organizers, each one with a different background and approach, so that we can be sure of getting our message across to every person in the mill—young or old, man or woman, black or white. And speaking of color, our operation is completely integrated—an integrated staff, integrated committees, and integrated meetings. We also have integrated contracts. Promotion according to seniority and ability, period."

Was the IUD sure that it could win with this approach? Were the people of Roanoke Rapids ready for it? Scott Hoyman, a Textile Union veteran who was directing the Roanoke Rapids operation, said grimly: "We're not worried about *our* approach; we've been winning seventy per cent of our elections in the South, which is better than the national average. What we're worried about is Stevens's approach." Hoyman handed me a complaint issued by the NLRB against Stevens early in 1964, citing 153 instances of threats, spying, and intimidation, together with the discharge of fifty-three employees for union activity, twenty of them in Roanoke Rapids.

The NLRB was so concerned about the company's tactics that it appealed to the Federal District Court in Greenville for an injunction against further illegal reprisals by Stevens. Choosing an unusual procedure, Judge Robert Martin announced that he would dispense with witnesses and hear the case on the basis of affidavits alone. He would not change his mind even after the union produced NLRB testimony in which company witnesses flatly contradicted their affidavits, confessing that they had no idea what they had sworn to; the company had simply prepared the statements and said, "Sign here." After a six months' delay, Martin denied the injunction. His decision was ultimately upheld by the Fourth Circuit Court of Appeals.

"During the year that the NLRB was investigating, holding hearings, and trying to get injunctions," Hoyman told me, "the company kept firing people, including some who had testified for the NLRB under subpoena. Last October, the board issued another complaint with fifty-four more unfair labor practices and eighteen more union people fired. We'll start hearings on those pretty soon, but what good does that do the people in the mill? They're scared stiff."

Judging from a complaint brief issued by the NLRB's regional office in Winston-Salem, North Carolina, this is hardly surprising: "The union began its campaign . . . about June, 1963, and shortly thereafter [Stevens] began its planned program of extensive... interrogations, threats, and harassment and massive discharge of known union adherents. . . . Respondent showed its utter contempt for Labor Board processes. . . . In certain cases, respondent's callousness in ridding itself of union adherents was appalling."

During the hectic weeks preceding the March union election in the five Roanoke Rapids mills, the eighteen IUD organizers on loan from their parent unions met frequently in the Rebel Restaurant of the Dixie Motel to compare notes and occasionally receive intelligence reports from millworkers.

"You should have been here back in '63, when I first set up this campaign," said Mrs. Virginia Keyser, who handled the Roanoke operation by herself for the first eight months. "People were interested, they signed cards, they'd talk to you. We had a good committee going in the mill, and *they* did the organizing, which is the way it ought to be. But after the campaign really got rollin' and workers were comin' to union meetings, the company began to knock our people off. Now there's nothin' going for us in the mill. The people are even afraid to talk to us in their own homes."

"Even finding their homes is a problem," added organizer Geneva Barnett. "Most of the mill people have no phones, and they move all the time. But if you want to see what it's like, let's go." After some fruitless doorbell ringing, we finally located Mrs. M. J. But her hospitable smile didn't last beyond the word "union." "Oh, I'm going to vote for y'all—but I can't ask you in. You know how things are now. They'd find out."

We rode around in circles for a while, before locating the home of Mrs. J. T., a trim white cottage in front of which was a motorboat on a trailer. The intelligent-looking, self-contained young woman who appeared at the door was succinct: "Thank you, I am *not* interested."

"Well, you're not getting a very positive picture of our chances, are you?" Mrs. Barnett later told me. "But I'll bet my bottom dollar she's in data processing. The people there think they're a different class from the other workers, and they'd rather die than have anything to do with them."

Mrs. Barnett's hunt-and-peck problem was nothing compared with the swing-shift odyssey of organizer J. D. "Preacher" Goad, who was pursuing a prospect suggested by local Negro leader Jettie Purnell. The mill-village mentality may not have changed much since the advent of the automobile, but its ecology certainly has. Millworkers can live fifteen or twenty miles out of town, and at night, on casually marked country roads, they might as well live on Mars.

A lonely light turned out to be a country store out of Erskine Caldwell; the weary proprietor directed us on our way. "Good, his car is here," Goad whispered. He knocked on the door; a woman's voice answered faintly.

"Is this Mrs. Smith?"

"Ye-e-e-ss."

"Is Mr. Smith here?" (Long pause)

"What do you want?"

"Mr. Jettie Purnell sent me. I'd like to talk to him."

"Jettie sent you? What do you wanna talk about?"

"I'd like to talk to Mr. Smith about the union." (Another pause)

"Ah'm sorry—Mr. Smith ain't here."

"Do you know when he'll be back? I'll be glad to come back later or tomorrow."

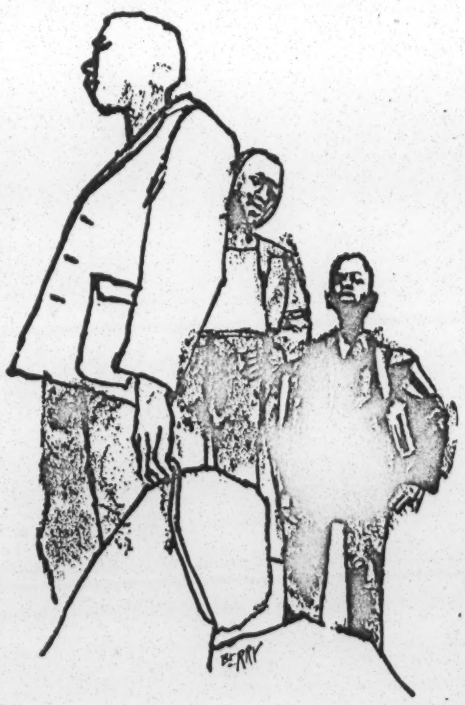
"I got no idea when he'll be back."

About a half an hour later, we located Mr. E. B., a burly Negro who was standing outside his dilapidated shack working on his car engine. Another man was holding a flashlight. Goad again mentioned Purnell's name. Would Mr. B. consider signing a union card? He nodded his head, yes. Then, with pen and card in hand, Mr. B. hesitated. He looked at Goad, he looked at his friend leaning on a fender. "Ah jes' doan know," he said softly. Did he have any questions about the union, was there anything Goad could tell him? "No, no—it's jest—" he made an uncomfortable, worried motion. "Ah better not—ah better not," he muttered, thrusting the pen and card back at Goad. "O.K.," said the Preacher with a sigh. "I'll come back again next week."

At 6 A.M. the next day, at a leaflet distribution in front of the mill, I met Mrs. Shirley Hobbs, who, after attending some union meetings, had been fired for counting one napkin short in one bundle and three in another bundle out of the 1,060 napkins she inspected every hour. Her foreman told her she was costing the company money. When she found out that two other girls who had also miscounted would not be fired, she slapped the foreman so hard that, in his own words, "I was carrying her fingerprints for hours."

I was curious about the process that had led Mrs. Hobbs, a mother of four, into the union movement. "During the war, Jarman, my husband, was stationed in California, and I worked in a store that had a union, so I know the difference. That's why it's so hard for me to understand the people around here. They see the conditions at the paper mill, where they've got a union—a minimum of $2.15 an hour and a top over $4. At Stevens, a loom fixer, who gets paid the most, makes about $2.38, and there are only four hundred of them. Everybody else makes between $1.38 and $1.75, and that's including the two five per cent raises the company gave after the union campaign started. Jarman was making $1.40. You can't raise four kids on $56 a week, so I was back doing the same thing my mother did—working in the mill. That's the way you're supposed to do around here; work in the mill just like your parents, get paid just about like your parents, and don't complain"—she gave me a little one-sided grin "—just like your parents."

While the textile industry experienced some difficult times in the not so distant past, there is little question about its current ability to pay standard wages. "For the third consecutive year, record sales were achieved," according to the 1964 annual Stevens



stockholders' report, "reaching $684,660,000 compared with $609,408,000 in 1963. . . . As in the case of sales, your Company's net income has more than doubled in the past ten years."

Bigger Than the Government

Textile wages, of course, are only one way of gauging the working conditions in the mills. "I've been working for Stevens for over forty years," Mrs. R. G. told me. "My daddy helped put the machinery into the Patterson mill in 1908. But it was different in those days. We used to start the spinning, then go out and play jack rock or tag—then we'd go back and work some more. But they don't have any heart for you no more in the mill. You got to rush around all day in that heat and dampness so you'll make your production. It got so bad I took to puttin' a towel around my neck so the sweat wouldn't pour all the way down. And my glasses cloudin' over and I cain't hardly stop to wipe 'em dry."

I asked her husband if many of the workers felt as they did, and if this meant they would vote union. "Oh, lots of 'em would like to better theirself," said Mr. G. "You hear 'em whisperin' here and there, around the water cooler. They're thinkin' about the union all right. But ah don't know. The overseers and all are always hintin' around about how Stevens is a big company and they could just close these here plants like that one they're always showin' the picture of that went union. And you cain't tell 'em nothin' about the government holdin' no secret election. Din't the union say it was against the law for the company to fire those people who worked for the union—and din't the company go and fire 'em anyway? Folks around here ain't so sure what the government's goin' to do, but they're mighty sure what Stevens is goin' to do."

On March 11, the election was held at Roanoke Rapids; the union lost by 498 votes out of 2,870 validated ballots. Within three months the Textile Workers Union was also defeated in two other mills in Greenville and Piedmont, South Carolina. As Mr. G. had predicted, several union election observers were fired after the ballots were counted. According to Pierce's testimony before the House committee, Stevens has fired 250 workers for union activity since the start of the IUD drive. [In a letter to the committee, the company complained that it had not been given an adequate opportunity to present its case, labeled the union charges "distorted and false," and stressed its "constant efforts" to provide its employees with "steady jobs, good working conditions, and desirable wages and benefits, on a continually rising basis."] Yet, since the union's initial complaint to the NLRB in August, 1963, not a single dischargee has been reinstated or one

unfair labor practice prohibited.

The explanation lies in "the built-in delay factors of Labor Board processes and the problems and weaknesses of the present Labor Relations Act," said Nick Zonarich, the IUD's organizational director. To evaluate the first, one has only to trace the progress of the union's 1963 charges against Stevens through the NLRB labyrinth: The board's regional office investigated, found the company guilty on most counts, and issued a consolidated complaint in January, 1964. Stevens denied guilt and the NLRB trial examiner scheduled hearings in March. The sixty hearing days stretched through September, and the examiner's evaluation of the 12,000-page transcript took ten months. His decision, published this July, has been appealed by Stevens to the full board, which in this case will require at least three or four more months. Meanwhile, hearings have already been held on a second consolidated complaint and scheduled for a third.

"I know the board takes a hell of a long time, but you've got to give both sides the right of appeal, and you've got to give the board time to consider the mass of evidence piled up by an employer like Stevens, who's taken the gloves off," Albert Horn, an IUD attorney, told me. "It would help to give the board more staff so that a trial examiner could have a few assistants and come up with a complex decision in four months instead of ten, but basically you can't cut board time in half without cutting the heart out of due process. No, the key to this thing is to put some teeth into the labor law."

Giving Them 'But For'

This is the reason that the IUD's Southern organizers have waged their determined campaign to bring the question of Taft-Hartley revision before the House committee. And foremost among their recommendations for reform will be the reinstatement of illegally discharged workers early in the NLRB process, preferably at the time of the regional director's complaint, thus finding the worker innocent until adjudged guilty and safeguarding both his livelihood and the free choice of his fellows. The Stevens case also highlights the need for penalties to be exacted from employers committing unfair labor practices. Under the present law, the employer suffers no penalty regardless of the scope or deliberateness of his violations; he is merely ordered to cease and desist. As Jim Pierce pointed out to the House committee:

"Some people may ask how a company can afford to fire 250 employees for unionism when the law entitles them to reinstatement with back pay. The answer is simple. About one quarter of the dischargees are too intimidated to even present their cases to the Board; another quarter find other jobs or drift away. For the 150 whom the board will finally uphold, back pay will come to about $300,000, whereas a ten-cent-an-hour raise won by the union for all 40,000 Stevens workers would cost the company eight to ten million dollars a year. For a certain kind of employer, that's quite a bargain." When one considers that the entire back-pay restitution is tax-deductible, it is quite probable that Stevens will emerge from the union struggle with a tidy profit.

But the most fundamental remedy proposed by the union forces is the "but for" clause. Under current law, the board can direct the employer to stop harassing union adherents, and it can set aside an election conducted in a coercive atmosphere. But the records show that where an employer has defeated the union by massive reprisals, his workers seldom recover sufficiently to vote for the union in a second election held a short time later. Therefore, under this proposal, where evidence establishes that "but for" the company's illegal behavior the union could have garnered a majority the first time around, the board can declare the plant organized. Obviously an employer faced with such a law might prefer to fight fair and take his chances in the voting booth instead of playing dirty and losing automatically.

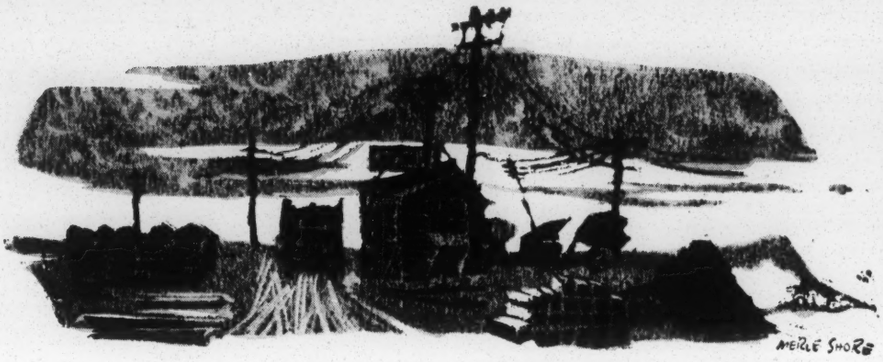
A Peculiar Institution

Sources close to the House Education and Labor Committee insist that the committee will launch a full-scale investigation of the labor law as soon as it resolves the problem of who will chair the hearing. If it does, the testimony would obviously not be restricted to any one region of the country. Nevertheless, such an investigation must ultimately touch upon a fundamental question: Will the open shop succeed slavery and Negro oppression as the "peculiar institution" of the South? For thirty years this region has defied the American pattern of industrial relations in which organized labor plays an integral role. Before the Second World War, when the South was still preponderantly agricultural, this deviation may have been tolerable. But not today, with the South ahead of the nation in the growth of its new plant investment and manufacturing output.

Southern workers, white or Negro, are entitled to the same freedom from anxiety on the job, the same rights of self-determination and free association, the same sense of pride that workers have achieved in the rest of the country. They should also have a similar share in the nation's prosperity. Yet Southern workers in manufacturing last year earned an average of $2.06 per hour compared to the national average of $2.53.

THE election defeats last spring have not altered the IUD's determination to unionize the Roanoke Rapids mills. Although the union appears to have lost its bid to have the NLRB invalidate the results and order new elections, the organizing work continues. If the IUD eventually succeeds in its Southeast campaigns, the repercussions will go beyond the economy and into the political life of the region. Roanoke Rapids is again a good example. This little industrial center bears the political stigmata of a company town. Its state senator is the local lawyer for J. P. Stevens and the paper mill, and a virulent racist. Negroes constitute about one-fifth of the population, yet it was not until this fall that even token integration was accomplished in the schools. The Ku Klux Klan is active and has sent warnings to the IUD and to those local labor leaders who refused Central Labor Council endorsement of the Klan's choice in the last gubernatorial election. "We'll never modernize this town," said one of these union leaders, "until we get some more unions in here to educate the people. Otherwise the mayor and all the rest of them are goin' to keep on playin' the same old game."

Emory Via 5-5-66



Bailing Out The Cotton Industry

JULIUS DUSCHA

THE Senate Agriculture Committee is now considering a bill with the innocuous title "An Act for Cotton Research and Promotion." The legislation is ostensibly an attempt to help the declining cotton industry face the competition of synthetic yarns by stimulating research projects and cotton promotion. But in fact its main effect would be to put the government in the position of underwriting commercial advertising campaigns for a private industry.

The advertising and research would be paid for under a Federally supervised program that would assess cotton farmers a dollar for every bale they produced. But the actual distribution of the money raised by the program—an estimated $12.5 million for this year—would be left to the discretion of a private group representing the cotton industry.

The passage of the bill by the House earlier this year was an example of the way in which a well-organized lobby can push legislation through Congress if it has the support of a powerful chairman like Representative Harold D. Cooley (D., North Carolina) of the House Agriculture Committee. The bill, which Cooley introduced, was drafted by lawyers for the National Cotton Council of America, the industry's principal lobby, and its most immediate purpose appears to be the rescue of a faltering fund-raising drive initiated by the council.

In 1960 the council, which represents cotton mills as well as farmers, established the Cotton Producers Institute to promote the use of cotton. The institute set up a voluntary assessment plan to finance its advertising program, but it was never able to raise more than $3 million in any single year, even though cotton production had been amounting to nearly fifteen million bales annually. (It is expected to drop to 12.5 million bales in 1966.) Last year, when receipts from the voluntary program declined to $2.5 million, the leaders of the council and its subsidiary institute decided that only the Federal government could salvage its promotion campaign.

Cooley Labor

Under the draft legislation submitted to Cooley by the council, the Secretary of Agriculture would be empowered to call an election among the nation's 600,000 cotton producers to vote on the dollar-a-bale assessment. But this would not be an ordinary election, for the bill provides that the assessment could go into effect either if two-thirds of the cotton farmers approved it or if farmers accounting for two-thirds of cotton production voted in favor of the program. Cotton farming is dominated by large producers; less than fourteen per cent of them account for two-thirds of the total production. Thus a small minority of farmers could dictate the outcome.

But the assessment would have to be paid by all cotton farmers, whether they were poverty-stricken Negroes in South Carolina scratching five bales a year out of tired soil or Mississippi planters supervising mechanized operations on rich land producing fifty thousand bales annually. Farmers who did not wish to participate in the program could have their assessments refunded only through a complicated procedure designed to discourage dissenters.

It would cost the Agriculture Department $400,000 to conduct such an election and $50,000 a year to collect the assessments, process requests for refunds, and supervise the program. These substantial administrative expenses would not be taken out of the promotion fund; the money would come from Federal tax revenues.

Once the program was approved, it would be supervised by a Cotton Board appointed by the Secretary of Agriculture and made up of cotton producers. The board would not get into the details of the promotion program. Instead, it would designate a private organization representing cotton producers to be responsible for spending the fund raised by the assessments on advertising, other promotional work, and research dedicated to increase the use of cotton. The private organization that would get the money would in all likelihood be either the National Cotton Council or its Cotton Producers Institute, since they are the only groups that meet the standards set forth in the legislation.

Though cotton mills would be expected to benefit from the promotion program as much as farmers, the legislation makes no provision for contributions from them. They were exempted partly because the council felt that an assessment on the mills was more likely to be reflected in higher prices for cotton textiles than one levied on farmers. Higher prices for cotton goods would only tend to cancel the expanded sales sought by the advertising campaign. Another reason for the exemption of mills is that most major companies process both synthetic and cotton goods and have no particular interest in taking sides in the fight for textile markets. Yet, in the crazy-quilt world of cotton legislation, the strongest Congressional support for the assessment came from Southern representatives like

May, 1966

Cooley who have cotton mills in their districts.

Because the needs of the Cotton Council coincided with political pressures on Cooley and other Representatives from states where cotton farming and cotton mills are important, the legislation moved quickly through the House Agriculture Committee and onto the floor. The 1965 farm bill included controversial provisions designed to reduce cotton production in the face of rising surpluses, and Cooley and many of his Southern colleagues were searching for ways to demonstrate to restless constituents that cotton still has plenty of friends on Capitol Hill.

THE Department of Agriculture, which is already spending $18 million a year on cotton-research programs, went along with the Cotton Council's plan. Under Secretary John A. Schnittker pointed out in a letter to Cooley that cotton's share of the U.S. fiber market had decreased from sixty-five per cent to fifty-three per cent during the last five years. In the meantime, the cost of cotton subsidies has steadily increased, totaling more than $3 billion during the last decade and $601 million in 1965 alone.

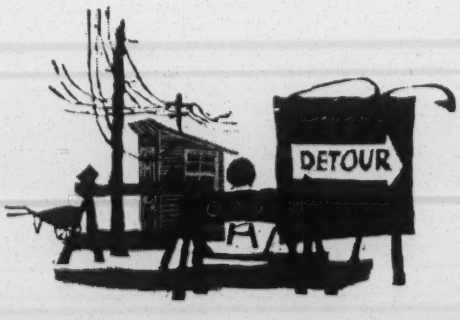
The conservative American Farm Bureau Federation and the liberal National Farmers Union, two of the largest farm organizations, both opposed the assessment proposal. This in itself was news, for the Farm Bureau and the Farmers Union seldom agree. Reuben L. Johnson, the Farmers Union's legislative director, told the Agriculture Committee that his organization felt it was unfair to require farmers to contribute to a promotion fund without also placing such a requirement on cotton mills and other cotton processors. Charles Shuman, president of the Farm Bureau and a vigorous supporter of Section 14(b) of the Taft-Hartley Act, which allows states to prohibit union shops, told the House Agriculture Committee when he testified against the dollar-a-bale assessment: "There is a much closer parallel in the rationale on which this legislation is based and the arguments made in favor of repeal of Section 14(b) of the Taft-Hartley Act than many of the supporters of this legislation would want to concede."

Representative Robert J. Dole (R., Kansas) followed a similar line of argument, attacking the bill as "compulsory cottonism," while Frank Thompson, Jr. (D., New Jersey), charged that the House was being asked to set up a union shop for cotton farmers. The parallels are not exact, but they are close enough to embarrass the Southern supporters of the cotton bill who argued so vigorously against the repeal of Section 14(b) last year. Cooley tried to cut off such comparisons by saying: "We are talking about agriculture. I am not getting off on something else."

It was only during the heat of the floor debate that Harlan Hagen (D., California), a spokesman for California cotton producers and a supporter of the legislation, blurted out the truth of the matter: "The motivation of this legislation is the same motivation that applies to union shops," Hagen declared. "There are too many free riders in the cotton business. They are not necessarily small farmers either, believe me. This is an effort to get some discipline in seeking fairness for cotton producers."

'There's the Rub'

The compulsory aspect of the legislation may not have worried such cotton spokesmen as Cooley and Hagen, but it did bother the five-man Mississippi House delegation, which opposed the bill. "When they get his dollar," Thomas G. Abernethy said, "it is all over so far as the farmer is concerned—except that he can take his hat in hand and walk around to the county ASC [Agriculture Stabilization and Conservation Service] office, be labeled as a nonco-operator—apologize—bear the ignominy and the humiliation that goes with it—and say, 'Will you please give me my dollar back?' That is the situation. This is wrong."



While some Southern Democrats squirmed, House Republicans had a field day. Paul Findley of Illinois asked, "Is it in the public interest to establish the precedent of placing the Secretary of Agriculture in charge of a program under which millions of dollars are passed out, on a selective basis, to buy TV and radio time, newspaper and magazine space, and—who knows—perhaps even a few discreetly located billboards? This responsibility could lead to tribulations without end. . . . Think of the panic ahead in the White House if the Secretary finds it impossible to stretch the checkoff dollars far enough to cover simultaneously a saturation sales pitch on men's sweatshirts and one of the virtues of one hundred per cent cotton underwear for milady. To choose? Aye, there's the rub (and I speak not of Cannon towels) . . . "

Before the roll was called, Carl Albert (D., Oklahoma), the House Majority Leader, pleaded for the legislation: "We are trying to find a means by which the cotton producer can compete with other types of fibers. This is the only way you can make advertising in the field of cotton somewhat comparable to that in respect to other fibers."

At first even Albert's plea did not seem enough to carry the bill. More persuasive was the muscle of the House leadership, muscle that is used whenever legislation supported by a committee chairman seems to be in trouble. After the roll had been called the usual two times the bill still lacked a majority; Albert and other House leaders quickly persuaded five Democrats, four of them freshmen, to change their votes. The final vote was 189 to 183.

The outlook for the legislation in the Senate is uncertain, though the two most powerful members of its Agriculture Committee, Chairman Allen J. Ellender (D., Louisiana) and James O. Eastland (D., Mississippi), face re-election this year and might be helped by expeditious passage of the bill. Eastland himself is a big cotton producer who has always been receptive to suggestions from an industry that looks more to the Federal government than to itself to save it from synthetics.

The Communist Car: An Upside-Down Status Symbol

ALEXANDER BREGMAN

THERE IS a special department in heaven for dead motorists, a current joke in Warsaw goes. St. Peter asks a newly arrived soul: "Nationality?" "American." "Car make?" "Cadillac." "What happened?" "Speed of one hundred miles an hour. Crashed into a tree." The next deceased answers the same questions: "Italian; Alfa Romeo; icy road." The third: "A Pole; bought a Syrena on the installment plan; died of starvation."

All over Eastern Europe, to own a car is the great dream. Yet according to the Polish weekly *Polityka,* the five European Communist car-producing countries manufactured a total of about four hundred thousand cars in 1964, or just about one car for every eight hundred inhabitants and less than half as many as were sold in the United States back in 1915.

There are only two ways to get a car without delay. One is to be a top party or government official who will either have a state-owned car at his disposal or will be given priority for immediate delivery. The other is to have relatives in the West who will pay for it in hard currency. With generous western connections, a Pole can obtain a home-produced Syrena costing $1,000, a Soviet-produced Volga at double the cost, or a Czechoslovak Skoda or an East German Wartburg at a price somewhere in between the other two. But few can expect such a gift.

Some Polish engineers, architects, and technicians have found another short cut to car ownership: signing up for a year's work in an underdeveloped country in order to earn the purchase price of a car in foreign currency. Even luckier professionals have been given permission to work for a year or so in Britain, France, Sweden, or the United States; at the end of their residence abroad they return with a car—and a lot of other things. But for the great majority of enthusiasts the road to ownership is very much rougher and longer.

In 1964, according to the report in *Polityka,* a hundred thousand Czechoslovaks put down twenty thousand crowns each, about sixteen months' average income, in return for which they were placed on a waiting list with hope of delivery of a Skoda car some time in 1966. Early last year the Warsaw Department of Commerce announced that applications for Soviet and Czechoslovak cars would be accepted for an hour a day during the succeeding ten days. The announcement added:

"The following papers should be attached to the application:

"(a) A certificate from the manager of the enterprise describing the post occupied by the applicant; the purpose of the purchase; the opportunities of using the car for professional work; and the average monthly amount of prizes and bonuses.

"(b) A declaration that the applicant during the past three years has not bought a new car at the state car-selling organization. Should it happen that three years have not elapsed since the last purchase of a car but the car has been damaged beyond further use, the applicant has to present an additional certificate to this effect."

Nonetheless, during those ten days hundreds of Poles queued for hours to fill in an application and enclose the required certificates, all duly stamped. Their chance of success was slim. In 1966 only one Pole in a thousand will be lucky enough to buy a new car: thirty thousand are expected to be sold in a country with a population of thirty-one million. Their new owners will have waited for at least two years for delivery.

Still, Poles are more fortunate than Russians, who might have to wait up to seven years. And everywhere in Eastern Europe the price is beyond most citizens. A Russian earning on the average of 105 rubles a month has to pay 3,400 rubles for his Moskvich. For a Polish worker the price of a Moskvich would represent five years' average income. The Czechs come off best—for only two years' average income they can have a home-produced automobile. Yet many people do save to buy a car on the installment plan even though the monthly payments are too much for them.

How to Become a Millionaire

In the West the person who wants a car but can't afford a new one is usually able to manage a second-hand one. Not so in Eastern Europe. A used car, though immediately available, will cost him even more than a new one. In East Germany a 1949 Volkswagen brings four thousand marks, about a thousand dollars. In Warsaw, where there is an open-air market for used cars every Sunday, the price asked for a two-year-old Volkswagen is 180,000 zlotys, which even at the most favorable exchange rate is almost $8,400

File

COMMENTS OF F. S. LOVE, SEC.-TREAS., AMERICAN TEXTILE MANUFACTURERS INSTITUTE, INC., CONCERNING EQUAL EMPLOYMENT OPPORTUNITY COMMISSION SESSIONS, CHARLOTTE, NORTH CAROLINA, JANUARY 12-13, 1967

Chron & EOC

FOR RELEASE AFTER 5:30 P.M., FRIDAY, JANUARY 13, 1967

Some of the statements made at the two-day Equal Employment Opportunity sessions concluding today in Charlotte have contained malicious and irresponsible accusations concerning the employment practices of the textile industry, but it is not our purpose to engage in a contest of charges and counter charges. In general, these accusations came from individuals who perhaps were less concerned than we with the laudable objective of providing more jobs for more people. Nevertheless, American Textile Manufacturers Institute and many textile companies have been represented at this meeting and have followed the proceedings with genuine interest. ATMI congratulates Commissioner Stephen N. Shulman, who has done his best to bring out something of value from the sensationalism of the past two days.

Prior to the opening of this conference, we pointed out that a public session might be used by individuals who had little regard for the textile industry or its approximately one million employees. The events of the last two days indicate that our concern was not unfounded.

The textile industry's responsibility to this nation is, in part, to provide jobs. Despite its critics at the meeting -- most of whom provide few jobs and meet no payrolls -- statements presented to the session defined the significant progress the industry has made.

The figures presented by the Commission in chart form on the opening day seem to indicate that textile wages paid in both North and South Carolina are equal to or above the average for industrial wages paid in both states. They also show an

encouraging increase in the textile industry employment of minority groups. We will not pretend to perfection, but we think it is significant, encouraging and indicative of the industry's social responsibility, that, according to the Commission's 1966 employment survey, while total textile employment in North Carolina increased 7 per cent between 1964 and 1965, non-white employment increased 73 per cent. This same survey also reveals substantial progress in the provision of job opportunities for Negro females. In the two years covered by the study, North Carolina textile industry employment of Negro women jumped 312 per cent. In South Carolina, a somewhat similar situation exists, with female Negro employment up 311 per cent.

Based on the Commission's figures, it appears that the textile industry provides jobs for some 35,000 non-whites in North and South Carolina. Can any other industry equal that figure?

It was also gratifying to learn from the Commission that although 1,119 complaints have been filed in the two Carolinas over an 18 months period, only 260 of these were filed against the textile industry. Considering the fact that the textile industry in these two states employs nearly 400,000 people, this is a record in which all of us can take considerable pride.

A representative of a South Carolina group cited a number of cases to indicate the harmonious relationship and the constructive hiring practices which exist in textile mills. He described the recruiting efforts of the textile mills through high schools, organized groups and other avenues, and indicated that the textile industry "does not need much urging" in searching vigorously for qualified employees. As a matter of fact, the textile industry is not concerned about race, color or ethnic backgrounds. Its concern is to find qualified employees. Also, as was brought out by a representative of the U. S. Department of Commerce, the rising

tide of textile imports from low-wage foreign nations may ultimately make hiring practices an academic question.

The American Textile Manufacturers Institute had hoped that more constructive suggestions might have come from the meeting as to ways in which untrained individuals might be better prepared to make the broad jump into industrial employment. The Commission's figures indicate that the textile industry is meeting the challenge of this decade, but we are disappointed that so few speakers made specific sincere suggestions which would help either the industry or its prospective employees. Regardless of its good intentions, the industry must operate in a practical world of intense competition from other industries, both at home and abroad. It trains thousands of people each year, but it does not have the facilities to train the hundreds of thousands of others who lack adequate employment because they lack adequate training.

Some weeks before the public announcement of this forum, ATMI suggested that if the Commission wished to enlist industry support for its efforts to broaden employment opportunities the most appropriate way would be through a discussion with the industry's leadership. This, we visualized, would be a meeting devoted to practical, realistic approaches to the problem. This would be a meeting which would generate -- not heat, light; not censure, but solutions; not criticism, but cooperation. We made that suggestion in good faith. Mr. Chairman, we make it again today.

Representatives of many textile manufacturing companies have attended and have followed these sessions with concentrated interest. The industry has carefully noted the comments that have been made at the meeting, and its representatives return to their plants with renewed determination to provide the best possible jobs for the largest possible number of qualified American people.

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File

EEOC - Textile Forum

STATEMENT TO THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
TWO-DAY HEARING IN CHARLOTTE, NORTH CAROLINA ON EMPLOYMENT OF
NEGROES IN THE TEXTILE INDUSTRY

January 12-13, 1967

MR. CHAIRMAN: My name is Courtney Siceloff. I appear in behalf of Penn Community Services, a private, non-profit agency of which I am the director. This is an organization founded in 1862, whose primary purpose is that of Community Development in Beaufort County, on the coast of South Carolina. Employment is one of the primary concerns of Community Development.

In addition, I am secertary of the South Carolina Advisory Committee to the U. S. Commisison on Civil Rights. In this respect, I would like to share my experiences with that Committee which in the past has considered matters relating to employment.

Let me first clearly state that my experiences with textile plants have been quite limited. I will therefore limit most of my remarks to Beaufort County, believing that the relating of specific problems in our county will be more useful than generalization about the state.

There is a knitting mill in Beaufort, manufacturing women's clothing. The plant was established about five years ago and at its peak employment, had some 300 employees, with about one-half of them Negroes. The firm agreed to desegregate its facilities, and in the process of building a new plant, came across a law which is still on the books. A portion of this law reads:

> SECTION 40-452, Code of Laws of South Carolina for 1952.
>
> "Separation of employees of different races in cotton textile factories.
>
> It shall be unlawful for any person engaged in the business of cotton textile manufacturing in this state to allow or permit operatives, help and labor of different races (a) to labor and work together within the same room, (b) to use the same doors of entrance and exit at the same time, (c) to use and occupy the same pay ticket windows or doors for paying off its operatives and laborers at the same time, (d) to use the same stairway and windows and laborers at the same time, or (e) to use at any time the same lavatories, toilets, drinking water buckets, pails, cups, dippers or glasses."

While this law is not enforced, its existence creates problems. The president of the firm felt he should contact the governor before proceeding with his desegregation plans; he was sure there would be no prosecution under the law. However, the contractor insisted the law required separate bathrooms- and proceeded to build them in spite of instructions from the president specifying otherwise.

The existence of the law has undoubtedly had a deterrant effect on firms, considering changing employment practices in their industry. The law likewise supports those employers who wish to make few - if any-changes in their employment patterns.

Textile Industry:

The EEOC should be commended for the research undertaken of the employment pattern in the textile industry, and the publication of its findings. I trust the Commission will continue this important phase of the work.

While the research undertaken by the Commission has been much more in depth than the material I had available, I found the Annual Report of the South Carolina Department of Labor to be quite helpful.

The latest report available is the 30th Annual Report for the period ending June 30, 1965; the 31st report is to be released later this month.

South Carolina Labor Commissioner William Fred Ponder points out that not only is the textile industry the most important one in South Carolina, but that in several areas, textiles equal all the other industries combined. Textiles account for 44% of the total capital invested in industry, 57% of the value products manufactured, and 59% of industrial wages. Thus it is very pertinent for the EEOC to examine the employment patterns in this industry.

While the Commission research figures indicate an increase on Negro employment in the testile industry recently, yet the percentage of Negros employed in the textile firms in South Carolina is less than it was 40 years ago.

Permit me to cite some figures comparing the industry in 1925 and in 1965. In the 40-year period, the value of the product increased 10 fold from $236,876,213 to $2,831,662,369-while employment of non-salaried employees nearly doubled - from 70,068 to 133,294.

Negro male employment went from 3742 to 7323. However, the percentage of Negro males empployed dropped from 6% in 1925 to 5.5% in 1965. The figures of Negro female employment are even more significant, with the number actually decreasing from 916 persons to 897 today. The percentage reflects the change: from 1% in 1925 to .7% in 1965.

These figures set beside white female employment, which doubled in that same period from 23,418 to 47,078- show both how little and static is Negro female employment in the industry.

While it should be pointed out that during the 40-year period, Negro employment decreased and has recently been on the rise, one cannot escape the conclusion that the industry has done little to improve its employment pattern in the last 40 years, in spite of federal legislation and the initiative of the firm to correct the situation.

South Carolina Employment Security Commission:

May I turn for a moment to the South Carolina Employment Security Commission, an agency financed by the U. S. Government, which has a key role in placing of workers.

I would like to refer to their role in one county in South Carolina - Beaufort, where I come from - in regards to the training and placement of Negroes in non-traditional jobs. While it is obvious that the Employment Security Commisission has a responsibility to all persons - and supposedly does not maintain records according to race-we are interested here today in the end result-how many Negroes are moving into jobs that previously were not open to them.

In Beaufort County, the Employment Security Commission has had the responsibility of placing graduates of MDTA-or STEP, as called in South Carolina-training courses. To date, two secretarial courses have been completed and another is to begin this month. Due to recent federal legislation, there should be many opportunities for qualified Negro stenographers and typists with federal and state agencies, federal contractors, Title VII Employers.

The placement in the first course - of 14 Negroes and 6 white persons - resulted in the immediate employment of all white persons available for work and eventual employment of only 4 of the 14 Negroes. The Employment Service was not responsible for the placement of any of the 4. Two of these are secretaries in Negro high schools and two work with OEO agencies. I would not term these non-traditional jobs.

The second course finished last December with 4 Negroes and 6 white graduates. The Negroes who finished this course a month ago indicate that they are not aware of any efforts of the Employment service to refer them to positions.

Staff Of The Employment Commission:

In Beaufort County almost 1/3 of Negro families earn less than $1,000 and over half earn less than $2,000, thus forming the bulk of persons using the services of the Employment Commission.

Of the 7-man staff in the Beaufort office, none is a Negro. Thus the agency which by law cannot discriminate in its own employment practices and on whom lies the responsibility if Negroes are to be placed in non-traditional jobs, has no Negro employee itself. How can this agency expect other employers to change their practices when it has not yet hired a Negro?

Thus, if this situation exists in other communities - and from my participation on the S. C. Advisory Committee to the U. S. Commission on Civil Rights, I feel that the Beaufort office in this respect is not singular - then I feel that the EEOC should not permit employers to rely primarily on the Employment Service for training and recruitment, until changes are made in that agency as well.

In conclusion, I would recommend that affirmative action be required of all industries covered by Title VII of the Civil Rights Act of 1964. This affirmative action should not be vague, general, nor voluntary. Employment standards should be established so that an industry would know whether it was taking sufficient affirmative action, as well as giving a guide to EEOC to judge compliance.

While there is little comparison between the problems of public schools and industrial employment, yet something can be gained from the experiences of schools being required to change their patterns. While the law regarding school desegregation became clear in 1954, there was almost no initiative on the part of school boards to comply until guidelines were established some ten years later.

It appears to me that this forum provides one example of what voluntary compliance often achieves. From my contact with EEOC staff members regarding this meeting, it appears that EEOC has done much to refrain from unnecessarily embarrassing the textile industry. Yet from the newspapers, I learn that few representatives of the industry have participated in this open meeting. If this is the type of cooperation that can be expected with EEOC - with its very limited enforcement powers, then precise guidelines need to be established.

Thus I urge EEOC recommend that Congress amend the present law to provide the Commission with the necessary enforcement machinery and personnel to establish employment standards that will permit minority groups that have been virtually excluded from certain industries to fully participate in them at all levels.

I commend the Commission for conducting this forum and appreciate the opportunity of appearing before you.

Courtney Siceloff
PENN COMMUNITY SERVICES, INC.
FROGMORE, SOUTH CAROLINA

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : THE FILES DATE: January 17, 1968

FROM : David M. Franklin DMF

SUBJECT: OFCC-DOD Textile Compliance Meeting of Top Executives

Participants:

Government

Edward C. Sylvester, Jr.	Director, OFCC, Labor Dept.
Samuel Jackson	Commissioner, EEOC
Jack Moskowitz	Deputy Asst. Secretary of Defense
Leonard J. Biermann	OFCC Staff
M. R. Shafer	DOD Staff
Samuel Schwartz	DOD Staff
David M. Franklin	OFCC Staff
Shirley C. Brown	OFCC Staff
Larry Long	Office of the Solicitor, Labor Dept.
Steve Schulson	Office of the Solicitor, Labor Dept.

Government Contractors

R. I. Stevens	President, J. P. Stevens & Co.
Lewis S. Morris	President, Cone Mills
Don S. Holt	President, Cannon Mills
W. J. Erwin	Chairman, Dan River Mills
J. C. Carremy	Vice Chairman, Burlington Industries
J. W. Jelks	Vice President, J. P. Stevens & Co.
H. H. Newton	Div. Vice President, Fieldcrest Mills
Frances L. Bell	Vice President, Springs Mills
E. F. Roauch	Vice President, Cone Mills
R. C. Weigel	General Manager, DuPont Corp.
John Oliver	Asst. Director, DuPont Corp.

5010-108

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

The textile compliance meeting convened at 11:00 on Tuesday, January 16, 1968, at the Main Labor Building in response to letters sent to the attending companies by Edward Sylvester, Director, OFCC.

The purpose of the meeting was to acquaint the textile companies with the purposes and objectives of the Government's imminent compliance program, and to achieve these aims through all possible mutual cooperation and understanding.

Mr. Sylvester and Commissioner Jackson, EEOC, set the initial tone by stressing that this was a unified Government program with OFCC's responsibility being the ten largest textile companies, and EEOC's, the remaining companies in North and South Carolina. Mr. Sylvester also stated that other Government agencies having some involvement with textiles in other aspects (tariffs, legislation, etc.) were also interested in this compliance program. It was also stressed that OFCC, DOD, and EEOC, in initiating this textile review, were merely continuing their emphasis on the industry-wide approach to compliance as done in other industries, rather than singling out the textile industry.

Lists of data to be supplied by the company and copies of the Department of Defense's compliance workbook were distributed to the contractors prior to a discussion in depth of what is involved in a compliance review. Questions asked by the contractors were limited to those of adequate notice by the Government, possibility of overlapping of jurisdiction by OFCC and EEOC, and the need for the data requested. These questions were answered, and it was announced that the OFCC-DOD textile compliance program would convene on January 22, 1968, at Dan River Mills, followed in the next thirty (30) days by Deering-Milliken, and Cannon Mills. Other companies will be announced by letter at later dates. The Department of Defense stated that two teams of two men each would be assigned full-time on the one year project.

The meeting ended at 12:30 p.m.

Attachment

ATRO T/A visits thru 2/2/68, Textiles, S.C

2-2-68

Textile - Name & Location	# of Plants	Date Visited	Total Employment	Total Negro Employment	% Negro Employment	County % Negro Population	
West Point Mfg. Co. Anderson, South Carolina	2	6/7/67	407	64	15.3	19½	98,478
Brookline Fabrics, Inc. Greenville, S. C. (6 New Hires)	2	5/22/67	474	39	8.1	17.3	230,000
Franklin Process Company Greenville, S. C.	1	6/7/67	315	21	6.2	17.3	230,000
Greer Mfg. Company Greer, S.C.	1	6/9/67	186	9	4.1	17.3	230,000
Southern Worsted Mills, Inc. Greenville, S. C. (2 New Hires)	1	5/23/67	433	10	2.1	17.3	230,000
Westboro Weaving Co. Greenville, S. C.	1	6/8/67	147	11	7	17.3	230,000
Wyandotte Worsted Company Greenville, S. C.	1	6/8/67	214	10	4.1	17.3	230,000
Arkwright Mills Spartanburg, S.C.	2	7/28/67	1058	94	8.9	30	165,000
Jackson Mills Wellford, S. C.	1	7/27/67	493	84	17	30	165,000
American Thread Company Clover, S. C.	1	7/20/67	695	139	20	35	90,000
Bowling Green Spinning Co. Bowling Green, S. C.	1	7/25/67	125	18	14.5	35	90,000
Dave Baer Hosiery Mill, Inc. Rock Hill, S.C.	1	7/14/67	105	6	5.3	35	90,000
Highland Park Mfg. Co. Rock Hill, S. C.	1	7/17/67	258	19	7.9	35	90,000

Textile - Name & Location	# of Plants	Date Visited	Total Employment	Total Negro Employment	% Negro Employment	County % Negro Population	
Hosiery Corp. of America Rock Hill, S. C.	1	7/18/67	290	55	18.2	35	90,000
Klear Knit, Inc. Clover, S.C.	1	7/22/67	105	19	18	35	90,000
Randolph Yarn, Inc. Rock Hill, S.C.	1	7/19/67	140	14	10	35	90,000
Sullivan Southern, Inc. York, S.C.	1	7/19/67	165	12	7.4	35	90,000
Talon, Inc. York, S.C.	1	7/25/67	203	44	21.1	35	90,000
Blair Mills, Inc. Belton, S.C.	1	6/9/67	289	17	5.2	20	100,000
Clark Schwebel Fiber Glass Co. Anderson, S.C. (7 New Hires)	1	6/8/67	631	79	12.3	19½	98,478
Jackson Mills Iva, S.C. (5 New Hires)	1	6/8/67	439	41	9.1	20	100,000
Greenwood Mills Greenwood, S.C. (100 New Hires)	14	6/19-29/67	6500	752	11	36½	16,000
Mosanto Company Greenwood County, S.C. (41 New Hires)	1	6/22/67	337	10	2.3	36½	16,000
Parke-Davis & Company Greenwood, S.C. (24 New Hires)	1	6/28/67	650	75	11.3	37	51,000
C.W. Anderson Hosiery Co. Clinton, S.C. (33 New Hires) (4 upgraded)	3	6/28/67	340	104	30.2	36	47,000
Ascoe Felt Div. Clinton, S. C.	1	6/22/67	9	-	0	36	47,000

Textile - Name & Location	# of Plants	Date Visited	Total Employment	Total Negro Employment	% Negro Employment	County % Negro	Population
Laurens Mills Laurens, S.C.	2	6/22/67	456	51	11.8	36	47,000
Clinton Mills Clinton, S.C. (15 New Hires)	2	6/23/67	1640	227	13.3	36	47,000
Palmetto Spinning Corp. Laurens, S.C. (15 New Hires)	1	6/21/67	81	20	24.5	36	47,000
M. Lowenstein No. 1 Orr-Lyons Mill Anderson, S.C.	7	6/2/67	1823	43	2.6	19½	98,478
Wamsutta Mills No. 2 Anderson, S.C.		6/2/67	250	19	7.1	19½	98,478
Limestone Mfg. Co. No. 3 Gaffney, S.C.		6/2/67	1211	116	9.7	22	35,000
Pacific Columbia Mills No. 4 Richland, S. C.		6/2/67	1830	283	15.8	30	97,433
Chiquola Mfg. Co. No. 5 Anderson, S.C.		6/2/67	591	32	5.2	19½	98,478
Wamsutta-Lyman No. 6 Lyman, S. C.		6/2/67	432	34	7.3	30	165,000
Lowenstein Cotton & Storage Corp. No. 7 Anderson, S.C.		6/2/67	50	21	42	19½	98,478
Inman Mills Inman, S.C.	4	9/18/67	1589	150	9.6	30	165,000
Venmar Mills Glendale, S.C.	1	12/8/67	61	1	1.3	30	165,000

Textile - Name & Location	# of Plants	Date Visited	Total Employment	Total Negro Employment	% Negro Employment	County % Negro Population	
Carolina Fibre Mills Spartanburg, S.C.	1	1/18/68	109	97	88.1	30	165,000
Burton Dixie Corp. Blacksburg, S.C.	1	1/25/68	240	142	59.4	30	165,000
Hamrick Mills Gaffney, S.C.	1	1/25/68	310	17	5.1	22	35,000
Musgrove Mills Gaffney, S.C.	1	1/25/68	293	14	4.2	22	35,000
A. P. McAuley Co. Gaffney, S.C.	1	1/25/68	370	9	2.1	22	35,000
Cherokee Finishing Co. Gaffney, S.C.	2	1/25/68	397	35	8.3	22	35,000
Mayfair Mills Arcadia, S.C.	4	12/12/67	1395	140	10	30	165,000
Powell Knitting Company Spartanburg, S.C.	X 1	1/9/68	163	14	8.9	30	165,000
Massachusetts Mohair Plush Company Spartanburg, S.C.	X 1	1/10/68	142	41	28.1	30	165,000
Alice Mfg. Company Easley, S.C. Rt. 7	5	1/17/68	478	31	6.2	23	17,000
Mohasco Industries, Inc. Liberty, S.C.	1	1/18/68	349	43	12.1	23	17,000
Owings Mill, Inc. Cowpens, S.C.	1	1/31/68	83	11	13.2	30	165,000
Indianhead Mills Franklin Process Co. Fingerville, S.C.	2	2/2/68	301	8	3.2	30	165,000

TEAM SUMMARY REPORT

(Textiles: Employment and Advancement for Minorities)
September, 1968

Introduction:

In January, 1967, a forum on textile industry employment patterns in North and South Carolina was held by the Equal Employment Opportunity Commission. Following the forum, six private agencies* formed TEAM to provide a field program in South Carolina and to work with national and regional federal offices to end discrimination in employment in the textile industry. Several of the private agencies had presented statements to the EEOC forum and one of them earlier had urged the EEOC to show interest in the textile industry.

TEAM was one part of a total effort including the governmental agencies (EEOC and OFCC) and the North Carolina Good Neighbor Council. TEAM hoped that the combined activities would serve a) to substantially increase Negro employment in entry level jobs, b) to place Negroes into a scattering of skilled and white collar jobs, c) to see that training, employment services, and other programs related to the textile industry were non-discriminatory, and d) to keep the private agencies informed about government agency action to insure that a high level of government activity continued.

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*The six agencies were: The NAACP Legal Defense and Educational Fund, the Southern Regional Office of the National Urban League, Penn Community Services, The Southern Office of the AFL-CIO Civil Rights Department, The Southern Rural Training Project, and the Southern Regional Council.

TEAM Summary Report - 2.

TEAM Activities.

TEAM activities can be separated into two categories, field and general. The field activities went through several phases as the program moved through its initial organization, created community awareness, and then began to operate within local communities. In the earlier phases special materials were prepared on the program and they and appropriate government materials were widely distributed. Area conferences were organized by TEAM, and in cooperation with other agencies, to alert local Negro leadership, training agencies, and employers to the new interest in textile employment. Local informational meetings were held.

During the course of local community contact, indigenous, local leaders were selected to serve as community aides to the TEAM effort. The aides worked part time for pay to help create interest in textile employment, organize campaigns to test employer willingness to hire Negroes, to spot local situations contributing to employment discrimination, to cooperate with appropriate government staff people. Aides have worked in nine counties and are currently working in five or six. A special training program conducted at Penn Community Services assisted the aides in better understanding their duties, the textile industry, types of discrimination, job application and testing procedures, and available resources.

The community program has proved valuable in both achieving the ends of the program and in demonstrating how difficult it is to solve elementary problems in some communities. Approximately 500 persons have been placed by TEAM efforts. The

total may be more but we recognized at the start that our best efforts at securing accurate reporting would be frustrated and this has frequently proved to be the case. This total, compared to our hopes, is disappointing; compared to other efforts or even on the basis of per head costs, the effort has been reasonably successful. And such comparisons do not take into account the continuing gains from community organization, the stimulation of groups to act on their own, and the goading of public agencies to enforce laws or to carry out their duties equitably.

The field program has led to over fifty complaints of discrimination being filed with federal agencies. Complaints have also been made to schools, the Technical Education Commission programs, and the employment service. In some cases corrective action has already taken place. The basic employment discrimination complaints are currently under investigation by EEOC.

The "general" activities of TEAM have included the further development of interagency cooperation (private and public), liason functions by TEAM board members between government agencies and at times within an agency, the "watchdogging" of federal agency efforts, and on occassion the confrontation of agencies with what was required of them by law and circumstance. There is no need to spell these activities out in detail, but they have been an essential part of the total process. Although we have had good cooperation from government staff, the process has had to be prodded. Their activities, with and without our help, have assisted in the hiring of about 1,500 Negro employees in newly opened industrial facilities alone, the Atlanta office

of EEOC visited some fifty plants urging affirmative action and offering assistance, a number of cases have been referred to the Attorney General for action. One of these has been settled in court, a few others are in process, and some will not be acted upon. EEOC Commissioners have issued complaints in a number of cases, but only one of these seems to have gone to the final stages. The OFCC has made investigations and recommendations in six or seven of the ten largest companies and has proceeded to a showdown with one of them to serve as a model for the industry. The Labor Department is to take action against this company following September 30, if it has not agreed to implement a far reaching affirmative program.

Some Problems.

In almost no case were the problems of timing satisfactorily resolved. In a one year effort which attempted to bring a number of separate private and public agencies together it would be expected that competing demands, bureaucratic procedures, and human failure would lead to an imperfect meshing of efforts. Some of the difficulty came about because TEAM launched its field program after some of the public efforts were well under way. Other problems stemmed from the vagaries of the national political scene.

It had been our hope that the results of enforcement efforts would be made available sooner to act as a stimulus to companies and community leadership and to Negro workers reluctant to seek jobs in textiles. We have, frankly, been disappointed that a stronger court ruling could not be secured during the year, that a good settlement did not result from a commissioner complaint

which in turn might be made public, or that an OFCC investigation has not already lead to positive action or, if necessary, debarment from government contracts.

We have had perhaps a little less than half of the performance we had hoped for, and sometimes promised, from government agencies. In some cases delivery was beyond the capacity (staff, budget, political commitment) of the staff involved. The total effort probably compares quite favorably to others. The government people are satisfied that it has been a worthy undertaking considering the newness of the effort, that it was the first such cooperative undertaking, and that it was the first strategic action use of their research data. TEAM, though not satisfied, thinks that a practical assessment would in large part confirm the government staff assessment.

The Opportunity Now.

The anticipation of a breakthrough with the big ten companies (OFCC action to secure positive programs or to debar) plus the effects of a new round of complaint oriented EEOC investigations, make us feel that the next few months will be the time of greatest employment gains in textiles. The public and private agencies agree that to maximize this opportunity it will be important to have a community program to recruit workers, spread information about openings, and to watch the recruitment process in action.

We are at that point, it would seem, where our various efforts are most likely to bear fruit in actual job placements. The Labor Department currently indicates that its actions should be completed during October. The EEOC initial investigations

should be through in a few days. Both of these actions will alert the industry to the need for a more significant change in its patterns of employment. It should be remembered that rulings affecting the big ten alone will include enforcement possibilities in literally hundreds of their plants located in the Carolinas.

What Is Proposed.

TEAM proposes to phase out its operations over the next several months. For that period it would continue, if funds are available, its community aides program. In some areas the program would operate to take advantage of immediate opportunities, but in other cases we would time our activity to match favorable results from governmental action. We would not continue a full-time director, but would look to him for several days a month assistance and similarly use the Charlotte based field staff of the Legal Defense and Educational Fund. We would also be alert to the possibilities of extending our program into some areas of North Carolina where the opportunity is greatest and placement efforts have been weak.

The TEAM executive board would continue its participation in the project including field activities. The participation of the board in the project -- periodic meetings, field consultations, meeting with government staff -- has all been without cost to the project itself. Each agency has borne its own expenses. Two of the agencies, Legal Defense and Educational Fund and the Southern Regional Council, have contributed $2,500.00 to the project budget. And the LDEF has supported the project during this current period since the end of the grant money.

A grant of $10,000 is needed to allow for the project to be properly terminated and to take advantage of the current situation. We have decided not to seek a larger amount for a fully staffed operation partly because of the difficulty in maintaining fulltime staff in a temporary project of this nature and partly because we feel we can effectively build on what we have already done and make use of existing agencies. A larger program, however, could easily be justified and would we think be productive. Although we would like to see government funds made available for a larger program, we do not feel that the private agencies should continue this particular committment beyond what we have proposed here.

* * * *

Statement by
Clifford L. Alexander, Jr., Chairman
Equal Employment Opportunity Commission
before the
Subcommittee on Administrative Practice and
Procedure of the Senate Judiciary Committee
March 27, 1969

MR. CHAIRMAN, you have convened these hearings to explore the effectiveness and efficiency of government practices and procedures for ensuring equal opportunity in employment among government contractors.

The adequacy of tools must, of course, be measured against the magnitude of the task. I would like, therefore, to give you my perspective as Chairman of the Equal Employment Opportunity Commission on job discrimination as it exists today. The Commission's jurisdiction extends, as you know, to employers of 25 or more, whether or not they are government contractors, as well as to unions, employment agencies, and joint apprenticeship programs. I see from the witness list that you will be hearing from other agencies with specific responsibilities under Executive Order 11246 for compliance by government contractors with provisions of that order, and I will not comment on its requirements or administration. What I shall say about discrimination from my vantage point as Chairman of EEOC applies to contractors and non-contractors alike.

I believe we must recognize three basic characteristics of discrimination: it is pervasive in the American way of business; it is too often unrecognized for what it is; and, most importantly, it can be rooted out through appropriate and determined action.

It has become fashionable of late to talk of "disadvantage" as the reason why minorities find themselves unemployed or confined to the bottom of the job hierarchy. The assumption is that minorities are largely unable to compete effectively because education and training opportunities have been previously denied them. But it is not "disadvantage" that makes the annual earnings of the black college graduate $1,040 less at the median than the white who never attended college. It is discrimination.

The data our Commission collected in 1966 from all employers of 100 or more, including most government contractors, showed that of 17-1/2 million male employees, one out of nine was an official or manager; but among 1-1/2 million Negro male employees, only one out of 100 was so employed; and among Spanish Surnamed American males, only one out of 40. Among all male blue collar employees, one in three was a foreman or craftsman; but only one in ten blacks, and one in five Spanish Surnamed Americans. For minority women the situation is even worse since sex discrimination compounds their lack of opportunity.

There are those who would deny that broadscale discrimination is largely responsible for the exclusion of minorities, or their

compression into lower paying jobs. But they ignore both what the processes of law define as discrimination, and the availability of qualified minorities that the Commission has tried to demonstrate through a series of public hearings and industry meetings.

When employers claim they "see no qualified minority applicants" it is often because their recruitment does not extend into the minority community as it has always extended into the Anglo community. In many instances, where the effect of such limited recruiting is to perpetuate a virtually all-white workforce, the employer would be in violation of Title VII -- not to mention the Executive Order -- despite the most glowing policy statement in his employee manual or diligent use of the "equal opportunity employer" slug in his classified ads in the daily paper.

Similarly, where minority job applicants are screened out disproportionately by tests that have not been validated as predictive of or related to actual job performance, the employer violates the law no less than if he still had a "whites only" sign in his personnel office.

Where minority employees are concentrated today in less desirable jobs because present seniority systems -- fair on their face since they apply to all -- perpetuate the effects of discriminatory placement in the past, the employer violates the law <u>today.</u>

I could cite further instances of how discrimination often fails to be perceived for what the courts have determined it to be

under Title VII. But this Commission has seen many instances where one needn't be a lawyer to know that much more is afoot than a shortage of qualified minority workers. At public hearings in New York in 1968 on discrimination in white collar employment, we saw that among that city's nine largest banks, two had 31 black executives -- four others had none. We saw other instances of how some employers were capable of finding qualified blacks and Puerto Ricans for white collar jobs at all levels while others, in the same industry, were unable to find any to do virtually the same kind of work. Indeed, out of some 4,300 reporting units in the city, 46% had not a single Puerto Rican in any white collar job -- from clerical on up -- and 43% had not a single black.

I would like to submit for the record a distillation of those New York Hearings whose title, I think, sums up the picture we saw among some of the nation's largest employers. It is called "Help Wanted....Or Is it".

Many of the findings in our New York hearings apply with equal force to blue collar work as well as white collar. And they repeat themselves from city to city, industry to industry. We have met privately with top executives of the drug and utilities industries, reviewed their reported employment statistics, and urged action to change the patterns they showed: despite large minority work forces in their operating areas, little minority participation above the

lower blue collar level and virtually no minority representation in middle management and upper level jobs.

Just two weeks ago in Los Angeles we saw an extremely disturbing picture at hearings covering the aerospace industry, motion picture production, the three radio-TV networks and several major financial institutions. In the movie industry, Mexican Americans and blacks were almost completely excluded from craft jobs by a collusive system involving the producers and many craft unions. The system's forseeable discriminatory effect made it a violation of Title VII notwithstanding the intent of the parties involved, and the parties evidenced no intent to change that system.

In the aerospace industry, lumping of minorities at the bottom of the job hierarchy was a rule with few exceptions. Minority witnesses testified they were frozen in positions for longer than their Anglo colleagues despite comparable or superior education and training.

The same television networks that had promised in New York to improve an abysmal record of minority employment showed, fifteen months later, a failure no less stunning to utilize the rich potential of minorities in Los Angeles.

I would be delighted to furnish this subcommittee with the transcript of the Commission's hearings in Los Angeles as soon as

it is available. It will show a bleak picture. But it will also show some exceptions to this picture, as we saw among New York's leading white collar employers, the drug industry, and the private utilities. They are important exceptions, for they point to the abundance of qualified minority workers when employers adopt non-discriminatory practices.

It is the Commission's experience that those relatively few companies who have successfully recruited and upgraded minorities share certain vital characteristics. They have developed detailed written plans for affirmative action, establishing for themselves specific goals and timetables for ending exclusion and underutilization of minority workers. Top management requires reports of progress or failure plant by plant, department by department, job category by job category. Reports are not just filed, but acted upon. Top management makes it clear that rewards and sanctions will apply to supervisors' performance in equalizing job opportunity just as they apply to performance in other areas of the company's operation where specific objectives or obligations have been defined.

There is, Mr. Chairman, one industry in which I understand the Subcommittee is particularly interested, where it appears that such top management attention among major employers is particularly needed. This industry -- the textile industry -- was the first to which the Commission addressed itself in a public context in

January, 1967. Statistics presented at a public forum in Charlotte showed gross underutilization of blacks, particularly black women, in North and South Carolina textile plants. And the Commission's investigations had uncovered some of the overtly discriminatory practices at plants of industry leaders that underlay the statistics of exclusion.

There have been other industries whose major employers have had comparably bad records. The leading textile employers are noteworthy, however, because in their capacity as government contractors they have been the subject of efforts by the OFCC and DOD following the Commission's textile forum, and thus provide an example of an industry where all the tools this Subcommittee is exploring have been used.

The Commission's experience with three of these major employers is enlightening. According to forms filed with the Commission in 1966, these companies made up about 25% of total textile employment, and now employ some 133,000 people. They have been the subject of a number of Commission investigations. At one plant, a company refused to hire a black woman solely because she had borne children out of wedlock -- although company officials admitted that they hired unwed mothers who were white. At another, a black man was discharged when he failed to execute a supervisor's order to perform an unpleasant task that investigation revealed was not assigned to similarly placed whites. It did not appear incidental that this

man, whose work record had been rated adequate in the past, had been having trouble since being elected president of the local NAACP. Nor would it seem incidental that an unwritten plant rule required blacks, but not whites, to use paper cups when drinking from a supposedly desegregated water fountain.

Both cases I have mentioned were based on charges filed in 1966. The incidents are reasonably typical of cases we have investigated in other plants of the three textile companies at various times before and after the textile forum. And, unfortunately, such practices and others even more serious are allegedly widespread even today. In a charge received this year against one of the three companies, gross violations of Title VII were alleged including maintenance of segregated facilities and discriminatory shift assignments, layoff and discharge based on race. In addition, the complaint cited persistent refusal of the respondent to undertake its responsibilities under Executive Order 11246.

I will not comment upon this alleged failure of the company as a government contractor to execute the requirements of the Executive Order. And the entire charge, of course, must be investigated before the Commission decides whether the facts support alleged violations of Title VII by this employer or any other. I will say, however, that the underutilization of blacks which the three leading textile companies reported in 1968 strongly suggests widespread discrimination at work.

Blacks held 11.7% of all the 133,421 jobs reported among the three companies. But the compression of blacks into lower paying jobs is starkly drawn by the statistics on individual job categories the companies themselves reported:

-- Blacks held only 16 of the 8,437 jobs as officials and managers - 0.2%.

-- They held 8 of 2,112 jobs as professionals -- 0.4% -- and 33 of 1,612 technicians positions -- 2.0%.

-- There were only 9 blacks among 1,497 salesmen -- 0.6% -- and even at the office and clerical level blacks held only 2.9% of the 11,256 reported jobs.

-- In blue collar work, Negroes held 11.7% of the 75,523 semi-skilled operative jobs, but only 1.8% of the 15,984 jobs as craftsmen, foremen and kindred workers. They held 35.9% of jobs as laborers and 36.0% of jobs as service workers -- the lowest rungs of the occupational ladder.

These figures, Mr. Chairman, are appalling -- particularly in what they say to the black job applicant whom these companies, like the rest of industry North and South, are ostensibly seeking. Looking at these figures from the outside, a young black college student would see one of every sixteen whites at the companies working in a job as official or manager -- but only one of 1,000 blacks. The black high school student would see one of every eight whites working as a foreman or craftsman, but only one of 50 Negroes. What

credibility does this lend to the label of "Equal Opportunity Employer" that each of the companies probably displays in its classified ads?

I submit, Mr. Chairman, that equal opportunity will not become a reality in these companies, or in this industry, or in American industry generally unless and until all of the tools available to the public and private sector are appropriately utilized. If these tools are cumbersome, inadequate, duplicative or -- most importantly -- not utilized, the problem of job discrimination will remain grave. Discrimination costs billions of dollars annually in unrealized productivity. Dollars out of black and brown and white pockets alike. Its cost in human terms is incalculable. If with the guidance of this Subcommittee on Administrative Practice and Procedure, more effective and efficient action to eliminate discrimination ensues, all of the nation -- minority and majority -- stands to benefit.

# # #

STATEMENT OF SENATOR WALTER F. MONDALE BEFORE THE SENATE SUBCOMMITTEE ON ADMINISTRATIVE PRACTICE AND PROCEDURES
MARCH 27, 1969

Mr. Chairman and members of the Committee:

I appreciate the opportunity to appear before you today, for these hearings are both timely and important. The role of the federal government in promoting equal employment opportunity is of vital interest to all of us. The unemployment rate for non-whites in America is twice that for whites. In some rural areas and northern ghettoes, unemployment soars as shockingly high as 35-40% among blacks. One of the causes of this grave problem is job discrimination. Such a trend will persist, with the unrest it brings, unless strong corrective action is taken by the federal government immediately.

The issues before this committee today are clear and simple. First, is the federal government, in the face of growing public concern with hunger, poverty and unemployment in our rural areas and urban slums, going to continue to foster racial segregation and discrimination through the use of federal tax dollars, thereby foreclosing job opportunities to thousands of black, Mexican-American and Indian citizens? Second, is the federal government going to make pronouncements about law and order and make new efforts towards ending crime and lawlessness while failing to follow and enforce its own laws and procedures on nondiscrimination? These issues are what provoked my concern about recent defense department actions regarding contracts to three large textile mills.

On February 8,1969, Deputy Secretary of Defense David Packard awarded contracts totaling $9.4 million dollars to three southern textile firms -- J.P. Stevens, Dan River Mills and Burlington Industries--on the basis of these firms' oral assurances that they would come up with an adequate "affirmative action" program. He did this not only without consulting the Office of Federal Contract Compliance, but in direct contradition of OFCC's and his own Defense Supply Agency's findings of discriminatory practices by these companies and recommendations that the companies be found in non-compliance with the Executive Order.

These findings of discrimination were not insignificant, as this summary indicates:

First. Negro male employees were being discriminated against in terms of promotion.

Second. There was discrimination in providing on-the-job training.

Third. Few Negro females were being hired in any capacity, despite the large number of white females being employed by these firms.

Fourth. Craft jobs were held by whites only, tests used to fill these jobs were not validated and were therefore not shown to be job related.

Fifth. Housing owned by Dan River Mills for its employees was segregated; whites were provided with cottages, Negroes with "shotgun" houses.

On February 11, 1969, I wrote Secretary Packard, requesting the terms of the assurances given him by the companies and urging him to hold up approval of these contracts. On February 26, 1969, I received a reply from a DoD official, which included a copy of a letter from Secretary Packard to Secretary Shultz, dated February 13, 1969.

In his letter, Secretary Packard stated that the companies' "chief executives have assured me that...(they)...will implement affirmative action plans to achieve the results contemplated under the Executive Order." This statement, along with the fact that no written agreement has yet been produced, amounts to a concession that millions of dollars of federal contracts were awarded on the basis of a handshake and a promise to do better.

Mr. Packard's attempt in the letter to explain his actions to Secretary Shultz is also most revealing. For rather than being at all reassuring, he explicitly indicates that the following deficiencies existed in the employment practices of the companies to which he had just awarded $9.4 million in federal contracts:

" 1. The companies do not provide in detail " specific goals and time tables for the prompt achievement of full and equal employment opportunity" as required in Section 60-1.40 of the OFCC Rules and Regulations.

" 2. OFCC policy and recent court decisions require that contractors remedy the present effects of past discrimination. Acceptable contractor programs to meet this requirement have yet to be formulated.

" 3. The companies have not provided a meaningful plan to assure fairness and nondiscrimination in recruiting, selection, placement, promotion and upgrading.

" 4. There still remains some company housing that is occupied on a segregated basis. A plan for prompt desegregation is needed."

Not only did Mr. Packard's action violate the substance of the law's requirements against discrimination as he himself so graphically outlined in his letter, but he also ignored completely the procedures under Executive Order 11246. He totally by-passed the OFCC, which is vested with responsibility for coordinating and supervising policies under the Executive Order, and he personally accepted oral, nonspecific assurances despite the regulations' requirements for written, specific assurances and for a timetable within which the contractor's affirmative action program will be accomplished.

It must be emphasized that Mr. Packard awarded contracts to companies which were <u>not</u> in compliance with the Executive Order. For the regulations issued under the authority of this Order unequivocally state that " where deficiencies are found to exist," as they were here,

" (b)efore the contractor can be found to be in compliance with the Order, it must make a specific commitment, in writing, to correct any such deficiencies. The commitment must include the precise action to be taken and dates for completion."

While the textile companies are required to report by May 1st on progress made in fulfilling their oral assurances, it is difficult to understand what they are to report about in the absence of a specific plan and requirements by which to measure these reports. Moreover, only Mr. Packard will be able to judge whether or not they are in compliance in the absence of any written agreement.

The action taken in these cases raises grave questions about the future of the contract compliance program. The law cannot be what the personal judgement of one official may determine it to be at a particular time. An effective compliance program involving hundreds of companies and billions of dollars cannot be conducted on the basis of personal oral assurances between a defense official and private industry officials. Nor can subversion of orderly procedures result in anything other than vitiation of the underlying policies and goals of the law.

Mr. Packard's actions are disturbing for still another reason. They totally negate the substantial expenditure of effort and money which several government agencies and private groups have invested over thepast year and a half to achieve compliance in these textile mills. I would like to briefly summarize for this committee the background of the textile investigation. The textile compliance program was a joint EEOC-OFCC-DoD project launched in January, 1968 1967 as part of a carefully designed, comprehensive, interagency effort which began in the spring of 1966 and which was an unusual attempt to coordinate federal and private agency programs to achieve equal employment opportunity. Frustrated by the limitations of a case-by-case approach to compliance which relies on individual complaints, the EEOC commissioners, led by Commissioner Samuel Jackson, a Republican, decided to try to eliminate patterns of discrimination by working on an industry-wide basis to achieve affirmative action agreements. The textile industry was chosen as a pilot project because its geographic concentration made it manageable in scope, because of its clear history of racial discrimination (I will attach for the record the Department of Defense's own specific findings of various discriminatory practices as of 1968 in Dan River Mills as related to Mr. M.A. Cross of that company by Mr. Shafer of the Defense Supply Agency in a letter of September 10,1968 (Attachment I), because it had a labor shortage: because of its heavy involvement with Federal contracts

(during 1968 when negotiations were going on with these companies, the DoD awarded contracts of approximately $77.5 million to these three firms), and because textile mills can offer jobs to unskilled, ex-farm workers. Moreover, the large roles textile companies play in the southern economy could, if employment patterns were changed, have a broad impact on job opportunity for minorities throughout the area. For example, EEOC data shows that in 1964, 49.4% of manufacturing jobs (or 136,400 jobs), in South Carolina were in textiles, in 1965, 41.2% of manufacturing jobs (or 253,200 jobs), in North Carolina were in textiles.

Great effort was expended on the project including extensive documentation of the mills' discrimination by EEOC's research staff; a public forum on textile employment practice in Charlotte, N.C., in January, 1967; exhaustive efforts by federal officials to get voluntary cooperation from corporate leaders in the industry, and a private interagency effort of six civil rights groups which complemented the government's effort and reflects the strong interest of civil rights groups in this project. Over a year of negotiations ensued between the government and these mills without a satisfactory affirmative action program being agreed upon. I am attaching for the record a detailed chronology of the steps which were taken in the attempt to bring these companies into compliance with the Executive Order. (Attachment II).

It is in the face of all this that Mr. Packard's action must be judged. What is truly shocking is the fact that between the February 8th awards of $9.4 million and March 26th, DoD has continued to award contracts to these same three firms -- Burlington, Dan River and J.P. Stevens. The total amount of these additional contracts is $13 million.

This continuing disregard of the Executive Order by DoD is indefensible and can only reward violation of the law and compound the errors already made in these cases. It seems to me that thepublic has a right to expect more and must ask more of the federal government.

It is particularly ironic that the Defense Department -- which so freely uses the energy, skill and lives of black Americans in Vietnam and which daily calls for more sacrifices from all Americans--is the first federal agency in the new Administration to impede efforts for racial justice here at home.

I hope that this committee hearing will result in a commitment on the part of DoD and other federal agency officials to enforce fully Executive Order 11246 and the rules and regulations thereunder. To do so would make a decisive difference in how minority groups view the federal government's willingness to enforce the law, and it will open up jobs to many who need them most. As of 1966, employers with federal contracts employed an estimated 24 million persons, approximately one-third of the labor force. It is evident what leverage the federal government has through federal contracts for constructive results in the jobs area if it would only use it.

Second, I hope that this committee will insist that federal agencies respect procedures established under the law, for without them justice will be an illusion.

Third, it is crucial that an adequate enforcement staff be hired and an adequate reporting system be implemented for monitoring compliance among government contractors. Moreover, information should be provided to the public about programs and progress in this area.

Finally, I call upon Secretary Shultz and Deputy Secretary Packard to take immediate action to correct the violation of the Executive Order occurring in these textile cases and to hold yp any pending contracts until the companies are in real--not paper--compliance. As Mr. Packard himself

stated in his letter to Secretary Shultz: "Actual results in terms of employment of minority applicants and treatment of employees without regard to race, creed, color or national origin determine whether a contractor is in compliance with the Executive Order." We have a right to see these "actual results" before further federal money is given. That is the law. And I specifically call upon Secretary Shultz to exercise his authority in these cases. As I stated on an earlier ocassion:

> If the Department of Labor does not exercise its authority in this matter, the Federal Executive Order calling for nondiscrimination in hiring, promotion, and other areas by firms doing business with the government is dead and buried and with it one of the nation's last best hopes for ending discrimination in employment.

In addition to the two documents referred to in my testimony, I ask that the following documents be made a part of the record;

- Press release of February 26, 1969, which outlines this problem in more detail.(Attachment III)
- My letter of February 11, 1969, to Deputy Secretary of Defense David Packard (Attachment IV)
- My letter of February 17, 1969, to Secretary of Labor George P. Shultz. (Attachment V)
- The DoD response to my letter, signed by Deputy Assistant Secretary Jack Moskowitz and dated February 25, 1969. (Attachment VI)
- A copy of the February 13, 1969, letter from Deputy Secretary Packard to Secretary Shultz, which was included with the above DoD response. (Attachment VII)
- The letter of March 5, 1969 from the Democratic Study Group to President Nixon. (Attachment VIII)
- The letter of March 5, 1969 from the Leadership Conference on Civil Rights to Deputy Secretary Packard. (Attachment IX)

from the office of

Senator Edward M. Kennedy

of Massachusetts

FOR IMMEDIATE RELEASE
March 28, 1969

STATEMENT OF SENATOR EDWARD M. KENNEDY
CHAIRMAN, SUBCOMMITTEE ON ADMINISTRATIVE PRACTICE AND PROCEDURE OF THE
SENATE JUDICIARY COMMITTEE

I want to begin by expressing my thanks to the Administration officials who will appear today, not only for taking the time to join us, but also for the assistance they and their staffs have provided to the Subcommittee. I want to pay special recognition to the Department of Defense, a department which we normally think of as being closed and secretive. In this case it has been most open and candid. It has provided us with all the information and documentation we needed to fulfill our task of analyzing the decision-making processes that led to a most important Department decision. Despite the risk that the release of this information might prove embarrassing, the Department had the confidence, and the faith in the constructive effect of hearings like these, to open itself to scrutiny and to let the chips fall where they may. Such courage and sense of public responsibility should not go unnoticed, and I want to commend you, Mr. Packard, and all those who were responsible for implementing so well in this case President Nixon's wishes for an open government.

I want also to note at the outset that nothing which will be asked or said here today is meant to cast any aspersions on the proved and total personal commitment to equal opportunities of the three principal witnesses. Secretaries Packard, Shultz and Volpe have each in their own enterprises and activities, taken a direct and forceful role in the effort to remove racial barriers from American life.

What we are concerned with today, however, is their institutional commitment, the commitment of their Departments to orderly procedures and to full enforcement of Congressional and Executive policies. Fear abounds in the nation that the trend toward equal rights and open opportunity may have reached a crest, that the new government places a low priority on the vindication of civil rights, that seemingly minor procedural changes mask basic shifts in the government's determination to eliminate segregation and discrimination. And it is not difficult to understand where this fear breeds. When Cabinet and Sub-Cabinet officials make critical decisions in the civil rights field, they do so under a microscope in a bright light. If they do not act firmly, clearly and openly to carry out their civil rights responsibilities, then they suffer a loss of credibility. Unfortunately, that is what has happened to the men who will appear here today. I do not believe they intended it to happen or wanted it to happen, or even knew it would happen. But it has. And our task is to help them see how and why, and then to help them rehabilitate themselves and restore the public confidence in their Departments' full commitment to the principle of equal opportunity.

As we heard yesterday the Government's role in equal employment opportunity dates back 20 years. In 1941, 1961, 1963, 1964, and 1965 three Presidents and one Congress established a structure for insuring job equality in federal employment, federal contracts, federally-assisted contracts, and general commerce. The division of responsibility is clear and logical, although perhaps not perfect or optimal -- Justice has responsibility for all court suits, the Equal Employment Opportunity Commission tries to handle general commerce, primarily

through administrative proceedings, each agency handles its own employment and its own contractors, with government-wide supervision by the Civil Service Commission for federal employees, and by Labor for federal contracts, so as to provide consistency and a source of expertise.

Beginning in early 1967 many of these lines of responsibility converged on one industry -- textiles. It was an important one because it employed large numbers of people, had a high turnover in employees, had skill progressions which were relatively easy, held huge amounts of Defense contracts, had plants in areas of population emigration, and had a grossly poor record in employment discrimination and segregation. Private civil rights groups formed a supporting outside team. EEOC, Labor, and Justice divided up the task of reviewing and obtaining compliance. The Department of Defense joined the effort in November of 1967 and began its reviews in January of 1968. During that month officials of Labor, Defense, and EEOC met with the top textile industry corporate executives to acquaint them with the goals of the compliance program and with the government's hope of achieving these goals with all possible mutual cooperation and understanding. By informal understanding Dan River Mills was made the prototype. The chronology was discouraging:

January 1968 -- First compliance reviews -- company found in non-compliance -- affirmative action plan requested.

April 1968 ---- Conciliation conference -- no affirmative action plan submitted.

May 1968 ------ Second conciliation conference -- first plan submitted -- found not satisfactory.

May 1968 ------ Third conference -- 2nd plan submitted -- plan not responsive in achieving compliance.

June 1968 ----- New proposal -- still not responsive.

July 1968 ----- New plan submitted.

August 1968 --- Proposals found unacceptable.

Aug.-Sept. 1968 Compliance reviews of Stevens & Burlington.

Sept. 1968 ---- Stevens & Burlington found in non-compliance -- affirmative plan requested.

Sept. 1968 ---- New Dan River Plan requested by 27th.

Oct. 1968 ----- Dan River says no plan until November 15.

Oct. 1968 ----- DoD requests plan by 28th.

Oct. 1968 ----- Dan River says not until November 15.

November 1968 - New Dan River plan filed -- Burlington, Stevens plans filed and found unacceptable.

December 1968 - Defense Supply Agency recommends rejection of plan.

January 1969 -- OFCC, Justice, DoD meet to evaluate plan and unanimously recommend rejection.

January 9,1969 DoD advises DAS to conciliate further and report on Jan. 31, and in the meantime to award no contracts to Dan River.

Jan. 16-17,1969 DoD meets with and makes final request to Dan River, Stevens, and Burlington for meaningful affirmative action plan.

I go through this chronology in some detail because it brings out several clear facts. The textile industry was a priority one for government action and that action was two years in the making by January of 1969. All of the agencies

involved -- and the private groups as well -- worked hard and closely on the project and thus had invested much time, effort, and morale. The agencies had clearly given the industry every opportunity for personal meetings, conciliation, negotiation, revision, and had been in contact with the top executives of the companies.

In short as of January 1969, all eyes, inside the government, in industry, in unions, and in minority communities were on the Department of Defense. A careful groundwork had been laid for the imposition of sanctions and there had been a unanimous agreement among the federal agencies that sanctions were called for. A precedent -- one way or the other -- was in the making, and the viability of the entire federal compliance effort lay in the balance. The memos inside the government reflected this. Assistant Secretary Fitt wrote on January 9:

> The resolution of this compliance case will strongly influence all other efforts in the Textile Project. A comprehensive written plan with Dan River will be an example for the industry.

Deputy Assistant Secretary Moscowitz wrote:

> To upset (DSA's) factual determination would impair the future of the compliance operations and create a justified adverse reaction.

And the Washington Post reported:

> The case is regarded as a precedent-setter and policy test for the Nixon Administration by both industry officials and Government civil rights agencies...Approval or disapproval of the Dan River contract is expected to set the pattern for the industry and, perhaps, for all contract compliance decisions by the Nixon Administration.

The Times said:

> In some respects the issue is even more significant than school integration. It is an issue on which all the Negro and civil rights groups are united...

And so, that was the posture of things on January 20 when the new Administration took office. What happened next can be divided into four problem areas:

1. The question of non-compliance
2. The alternative courses of action
3. The need for a written plan
4. The need for consultation with the Department of Labor.

1. The Issue of Non-Compliance

In granting the contracts to these three textile companies, Deputy Secretary Packard overruled a finding of non-compliance by the Defense Supply Agency. He rejected the recommendations of his own procurement and civil rights advisors.

The long negotiations I have described provide ample evidence of a clear case of non-compliance.

On August 22, Deputy Assistant Secretary Moskowitz spelled out in a memorandum to DSA:

"The Dan River Mills' proposals are unacceptable as presented."

He stressed further:

"The affirmative action plan that results from these discussions with Dan River Mills is of prime importance."

After more months of negotiations, the Defense Supply Agency reported back:

"The company has submitted its plan for achieving compliance; however, it falls short of being sufficiently specific in its details for implementation."

On January 9, 1969, in a memorandum to the Director of the Defense Supply Agency, Assistant Secretary Fitt indicated remaining deficiencies in the Dan River Mills' proposals, and concluded:

"In the mean time no additional contract awards are to be made to Dan River."

On January 23, Dan River Mills said in a letter to Mr. M.R. Shafer, the Contract Compliance Officer in DSA:

"We are not now prepared to make a final commitment nor to submit language relating to the specific proposals made to us."

J.P. Stevens also refused to comply, and on January 30, Lt. Gen. Hedlund sent a memorandum to the Assistant Secretary of Defense for Manpower and Reserve Affairs concerning these two companies:

"This agency has conducted extensive and prolonged conciliation conferences with both of these companies...Areas of disagreement still remain...

"I have determined, pursuant to paragraph V A - 1e(i) of DoD Directive 1100,11, that Dan River Mills and J.P. Stevens have failed to comply with the provisions of Equal Employment Opportunity Clause contained in the contract... It is recommended that you recommend to the Secretary of Labor that sanctions be imposed against each company."

Lt. Gen. Hedlund made the same finding and recommendation on Burlington after its final plan was submitted.

In a February 5 memorandum to the Secretary of Defense, after analyzing the impact of the Equal Opportunity program on textile procurement, Lt. Gen. Hedlund recommended that these three companies be passed over on the immediate contract.

On February 4, Deputy Assistant Secretary Moskowitz recommended to the Acting Assistant Secretary:

"I would proceed with a finding of non-compliance, notice of intent to find ineligible for future contracts and the opportunities for a hearing."

He reiterated this recommendation in a memorandum to Packard himself, in which he said that approval of the compliance plans "would not be consonant with the facts." He said in that memorandum: "The DSA requests were appropriate and what was required for the achievement of compliance by the companies."

Notwithstanding all of these adverse findings and recommendations, Deputy Secretary Packard chose to ignore the finding of non-compliance by DSA and the recommendations of his Equal Employment Opportunity Advisors.

2. <u>Packard's Options</u>

Several reasonable options, other than overruling the DSA finding, were open to Deputy Secretary Packard, as evident by the recommendations made to him.

-- Continue further negotiations, delaying award of the contract until the matter was resolved one way or the other;

-- In the absence of an acceptable written plan, pass over these three companies and award the immediate contract to the next lowest acceptable bidders;

-- Pass over the companies, give notice of debarment from future contracts, and afford opportunity for a hearing;

-- Pass over the companies, and ask Department of Labor to initiate procedures leading to sanctions.

I might add that it was clear that an immediate, incompletely considered decision was not necessary, and that Mr. Packard had time for further consideration and negotiation before taking so drastic a step as overruling DSA and his EEO officers. Packard's own procurement officer, Assistant Secretary for Installations and Logistics Barry J. Shillito, was one of many to advise that "a week or two delay beyond this date (February 10) would be acceptable." Instead, Packard actually moved the decision date forward by three days.

3. Need for Assurances in Writing

Yesterday, Mr. Bierman, OFCC's Chief Compliance Officer, and Mr. Moscowitz, Deputy Assistant Secretary of Defense for Civil Rights and Industrial Relations, stressed again and again the absolute necessity that any federal government contractor's affirmative action plan be in writing.

A written assurance prevents any present or future misunderstandings between the government and the contractor. It provides an instant frame of reference for further negotiations if any defects appear in the assurances as given. A written plan in itself stands as a declaration of the contractor's equal employment policy, and can be incorporated by reference into the contract. Finally, and perhaps most importantly, if the contractor should in any matter stray from his assurances, only if they are written can the government confidently enforce those assurances.

These policy reasons are important, but they are not the only reasons that an affirmative action plan must be in writing. The regulations promulgated by the Office of Federal Contract Compliance (Sections 60-120 and 60-140) both of which were placed in the record yesterday, clearly provide that before a contractor can be found to be in compliance with the order, "it must make a specific commitment, in writing," to correct any deficiencies. The commitment must include the precise action to be taken and dates for completion. These regulations were issued under the direct authority of Executive Order 11246 and provide the legal boundaries within which any governmental action can be taken.

A Defense Procurement Circular [illegible] 67, issued on January 31 of this year -- just seven days before contracts were awarded to the three textile firms we are concerned with in these hearings -- contained specific revisions to the Armed Services Procurement Regulations. This circular points out that among the "major changes in the regulations is the following: "contractors are required in section 12-815 to develop and maintain a written affirmative action compliance program for each of their establishments." Two sections of these regulations are taken almost verbatim from the OFCC Regulations quoted above. In addition, Defense Supply Agency booklet published in November of 1968 -- a booklet sent to each firm doing business with the federal government -- states the requirement that the company equal employment policy exists in writing in precise terms.

Surely these regulations have the force of law in the Executive Branch and provide a clear mandate that affirmative action plans, even when agreed to among gentlemen, must be in writing.

Even if we go back a few years, we find emphasis on the desirability of putting every compliance assurance in writing. Mr. Bierman, who testified yesterday, wrote to the Defense Department's Director of Equal Employment Opportunity Policy on August 28, 1967, that to be in compliance, a government contractor "must make a specific commitment, in writing." And if we bring this matter up to date -- to January 9 of this year -- we find a memorandum from the Assistant

Secretary of Defense for Manpower and Reserve Affairs observing that "a comprehensive written plan with Dan River will be an example for the industry." It is inconceivable to me that in the face of two sets of regulations, such specific correspondence, and the employment histories of the three textile firms involved, anything less than a precise written assurance would be accepted as a basis on which multimillion dollar contracts would be awarded. And it is just not fair to the thousands of other contractors who filed written plans that these companies would be given special treatment. Moreover the Administration's attempt to gloss over this entire issue completely is almost as astounding. For in an opinion letter from the Office of Legal Counsel to Secretary Shultz at the end of February not a single line was addressed to the question whether the Deputy Secretary of Defense acted within the law when he accepted vague oral assurances instead of precise written ones from the three textile firms.

4. Responsibility of DoD to Consult with Labor Department

Both the Executive Order and the OFCC regulations make clear that the Department of Labor plays a central role in all federal contract compliance policies. The E.O. says "the Secretary of Labor shall be responsible for the administration" of the federal contract compliance provisions. And the OFCC regs require prior submission of all other agencies regs and orders for prior approval of OFCC.

From the inception of the special textile program in 1967, the Office of Federal Contract Compliance in the Department of Labor has been in a key position. OFCC has been in constant contact with the Department of Defense in attempting to bring the textile mills into compliance. During 1967 and 1968 a number of letters passed between DoD and OFCC reaffirming the need for joint approval of decisions in the textile program. And this past Wednesday the Senior contract compliance officer from OFCC participated in the negotiations that resulted in approval of Burlington Mills' written affirmative action program.

With this background it would be most surprising if contracts were awarded to non-complying textile mills without the approval -- in fact without the knowledge -- of the Office of Federal Contract Compliance. Yet this is exactly what happened. On February 6, 1969, the Acting Director of the OFCC wrote the Deputy Secretary of Defense and stressed the importance of the textile program. He also volunteered the sanction power of OFCC in dealing with non-complying companies. Yet this same man, the Director of government-wide efforts in the contract compliance field, was to learn of the award of three textile contracts only after the fact through the news media.

In fact a number of memoranda sent to Mr. Packard advised him that consultation with Secretary Shultz would be in order. Yet the Secretary of Labor was apparently consulted only at the last moment, before the companies were called together and awarded the contracts. The following day, February 8, Mr. Packard circulated a memorandum to various offices -- including Mr. Shultz's -- stating that " the contractors involved have assured me they will take further actions in connection with the problems involved."

This February 8 memorandum relayed no specifics, and, as if it never existed, Secretary Shultz wrote Deputy Secretary Packard on February 12, 1969, as follows:

> As of the last meeting at which OFCC participated, following a number of conferences with top officials of firms involved, it was agreed by DoD and Labor that the contractors were not in compliance with the Executive Order. On February 7 you informed me that you had met with the top officials of these firms and had satisfied yourself that they had taken affirmative action in respect to both their employment and company housing policies. In view of our continuing interest in this matter, and in accordance with various provisions of the rules and regulations of EO 11246, would you please send me a full report of the assurances the companies have given you and the steps they have taken which will put them into compliance with the Executive Order.

Mr. Packard's reply of the next day outlined deficiencies found by DSA in the three companies' plans and concluded that the mill officials "have assured me that their companies will implement affirmative actions plans to achieve the results contemplated under the Executive Order." In orher words, Mr. Packard's

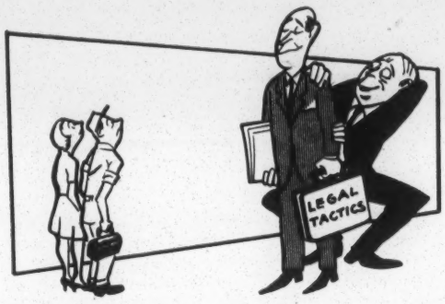
reply specified no precise assurances given by the companies.

Secretary Shultz was apparently unconvinced of the validity of Mr. Packard's action, for he then requested from the Justice Department an opinion on its legality. On March 5, following the receipt of that opinion, which I have mentioned previously, the OFCC and DoD agreed on a format for following through on the Packard agreement, and Secretary Shultz released a statement that he intended to see that the contractors comply with the regulations against discrimination and take appropriate affirmative action. That was interesting, but it reflected the fact that for most of a month he had been in the dark as to what was unfolding in his domain.

I want to say one word about the broader context of the questions we are raising in this hearing. This committee is interested in the enforcement of equal opportunity in employment by federal government contractors because the law requires it. But the law does not require it only for the benefit of our black citizens or other minority groups. The ability of people to find work is central to all our hopes for preserving peace in our cities, for cutting down the welfare rolls, and for our other domestic priorities. When the McCone Commission investigated the riots in Watts, it found the number one cause was lack of jobs. This was also the case with riots examined all over the country. When we look at our growing welfare burden, it is obvious that the best solution is to help people get off welfare and give them work. If a man wants a job and is qualified for it, but cannot get it because he is discriminated against, I do not see how we can ask him to be satisfied with his community. I do not see how we can ask him to be a peaceful and contented citizen if he cannot feed his family. If our minority citizens feel the federal law is not being enforced, this can result in grave problems for all of us. But if the citizens know that the laws concerning equal opportunity in employment are being enforced, this will be very important toward reducing racial tension in this country. That is why this area of inquiry is so very important.

The Southern Labor 'Shortage'

Lawyer's Advice Not Intended to Overcome It



SPOKESMEN for the southern textile industry have made a practice of complaining about the "labor shortage." They observe many of their erstwhile employees leaving for better jobs in more progressive industries and they are disturbed; so they wring their hands and complain.

The latest apologist for the industry to weep in public over this situation is Frank Constangy, who is described in the textile trade press as "the South's leading labor authority." Actually, Constangy is an attorney who specializes in helping southern textile employers prevent their workers from forming unions.

Whenever southern textile workers become fed up with their working conditions and try to form a union, they are likely to encounter Constangy—or other lawyers who have adopted his tactics. Workers may not actually see him or his imitators, but they will surely come across the legal roadblocks which he advises their employers to place in their paths. And if they stick to it long enough to establish a union, they will be likely to meet him or other practitioners of his tactics of delay at the bargaining table.

But Frank Constangy is concerned with important matters these days. In a recent interview, Constangy said that "textile mills may be . . . under-emphasizing the labor situation. . . . Reduction of available labor is especially hard on mills in or near large cities where job competition is greatest."

What is Constangy's solution?

"Textiles," he says, "needs a more glamorous image. It should tell the world about its air-conditioned plants, personnel benefits and working conditions."

No doubt the image of the textile industry needs improvement. But it's hardly likely to be accomplished through public-relations' puffs. The facts are too obvious for the industry to get away with telling phony stories about how lovely it is to work in the mill.

If the industry were to tell the world the truth, it would have to admit that thousands of textile mills are *not* air-conditioned, while those that are have set their conditions to meet fiber processing requirements, rather than the needs of human comfort.

The industry's "personnel benefits" are so substandard that it is difficult to see how they could be used to impress the waiting world.

- Average straight-time hourly earnings for southern textile mills are $2.11 —83¢ or 28% below the average for all factory workers.
- The maximum paid vacation provided in southern textile mills is generally two weeks compared to four weeks in most other industries.
- The typical southern textile provision is for two or three paid holidays while employees in other industries receive eight to 10 holidays a year.
- The workers have to pay most of the cost of insurance benefits in southern textile mills while other industries generally provide higher benefits and the employer pays the entire cost.
- Most southern mills have no pension plans and, where they do exist, they are generally dependent upon profits rather than fixed obligations. By contrast, most other industries provide employer-paid guaranteed pensions.
- Shift premiums are limited to the third shift in southern textiles and amount to 5¢ an hour. Premiums of 5-15¢ are common for second-shift work in other industries and, on third shifts, the premium is generally between 15 and 25¢ per hour.
- The total cost of these fringe benefits in southern textiles averages 14¢ an hour compared to an average of 41¢ in all manufacturing industries.

Constangy's desire to tell the world about textile working conditions is especially puzzling. The fact is that the workers in most southern mills are required to work at a pace which is aptly described as "stretched out." Unlike workers in other industries, they generally have no scheduled rest periods. Indeed, they even have to eat their lunches while tending their machines. It would be surprising if these conditions were to prove attractive to workers who compare textile jobs with the growing opportunities in other industries.

It is time the southern textile industry faced up to reality. No amount of image-building publicity will wipe out the hard facts. The industry's failure to attract more workers is due to the outmoded policies which management pursues:

It pays substandard wages. It provides inadequate fringe benefits. It stretches out its workers and makes no provision for regular rest periods or decent working conditions. And it engages in a conspiracy to use coercion and outright intimidation to suppress every attempt by textile workers to exercise their democratic right to join unions of their own choosing—so they can do something about making the textile industry a good place in which to work.

(More on Page 4)

The article on this page is based upon a statement adopted by the TWUA Executive Council.

What the Bosses Say in Private

When leading textile mill executives talk "within the family," they generally do not kid themselves with the Constangy evaluation of what is needed to overcome the industry's labor shortage. The Constangy approach is strictly for public consumption.

The *Daily News Record,* the textile trade paper which originally carried the interview with Constangy, reports further that it is the concensus of leading textile mill men that "despite the frequency of wage advances in recent years, the industry is still behind the general industrial wage level."

"Despite the improvements in textile mill working conditions, the labor supply gets tougher with each passing day, they declare," says the trade paper. "No longer is it merely a walk down to the mill gate or yard for a plant foreman to pick up an 'extra' hand. Time was when a foreman could pick up any number of replacements for absentees —but this is a thing of the past. 'Blue Mondays' have become 'blue weeks' and the shortage of workers becomes more troublesome each day."

Daily News Record reports that "mills have introduced all types of programs to recruit workers: educational programs, high school seminars, community lectures, worker training programs, aptitude tests for job classifications and many other movements are used to attract new personnel."

Everything, that is, except union conditions—even though southern textile employers are finally conceding that employees of textile mills want a five-day week at the six-day pay basis, and that they are envious not only of higher wages in other industries, but want more time for relaxation and recreation.

In other words, employers are finally getting around to admitting that southern textile workers are not satisfied with the way things are and that, like other American workers, they want the same kind of benefits that unions have brought to employees of more progressive industries.

Packaging Act Falls Short Or Pity the Poor Shopper

Despite more forthright labeling under the two-year-old Federal Fair Packaging and Labeling Act, housewives still can't compare prices in the supermarket, says Consumers Union, the nation's largest consumer advisory organization.

Accordingly, it is recommending an amendment to the law, which would require stores to put unit prices on every package, along with the package price. Unit price is the price per pound, pint or other standard unit of consumption, and is already used for the pricing of meat and poultry at most supermarkets.

CU reached its conclusion after repeating a well-publicized shopping experiment conducted in 1962 by the California Consumer Counsel. Five college-educated housewives were sent to a supermarket with a shopping list of 14 everyday items and told to buy, without regard to brand, the package in each category giving the largest amount at the lowest price.

In 1962, the housewives made 34 wrong choices out of a possible 70. In late October 1968, when CU repeated the test, another five housewives with similar educational backgrounds made 38 wrong choices.

"Why shouldn't all packages be labeled with the price per pound or pint or other relevant unit?" CU asks.

Such a requirement was considered when the law was written but rejected, says the consumer organization, because the drafters of the act decided it might be too costly for the small, independent grocer.

CU says, however, that the requirement could be fulfilled without much difficulty:

"Since manufacturers could not usually print prices on their packages without violating the laws against price-fixing, the price labeling job would fall, as it does now, to the retailer. But regional offices of supermarket chains could readily include unit prices on the master price lists sent to all store managers, and suppliers could equip small groceries with easy-to-use price tables. The extra cost, if any, would probably prove negligible."

The consumer organization suggests that the price unit "should represent the quantities customarily purchased . . . price per pound, per pint, per 100 paper towels and so forth."

Under Packaging Act regulations, net quantities must be printed in standard form in a well-defined place and in reasonably large type on the front or main panel of every package entering interstate commerce. Also, the quantity must be stated in two ways—total ounces and ounces and pounds (or equivalent units of volume or count). State packaging laws are being revised to conform with the Federal one.

Nonetheless, the number of brands, types and sizes of most of the 14 items on CU's test shopping list—which also included such things as rice, salt, canned tomatoes, toilet tissue and shampoo—had proliferated since 1962. The women this time had to consider 286 different selections, an increase from 246 in 1962. Canned dog foods and pancake mixes were singled out as having greatly proliferated.

Within a two-hour limit for the shopping test, the women took an average of 50 minutes to select the 14 items—seven minutes longer than in 1962. "Not only didn't the shoppers make a reasonable number of correct choices," CU says, "they couldn't—not in any practical terms. It took the five-woman project staff six hours and the services of an electric calculating machine to get all the answers figured out."

2 WASHINGTON POST JUN 18 1969

'Fair Employment' Isn't Always Fair

William Raspberry

ONE OF THE HARDEST concepts to get across, to private and government employers alike, is the difference between integration and nondiscrimination.

It is for this reason, more than for reasons of overt racism, that many employers who warmly endorse the idea of fair employment go into an absolute tizzy over anything that hints of what they describe as "reverse discrimination."

The fact that "fair employment" has come to be accepted as a matter of routine hiring policy represents a good deal of progress, it must be acknowledged.

But for many employers, the progress has stopped at that point. Except for dyed-in-the-wool racists, most employers will, when confronted with a black applicant who is even marginally better qualified than a white one, hire the black applicant. Those who consider themselves enlightened may hire the black applicant even when he is only equally qualified or perhaps marginally less qualified.

This is "fair employment," and many employers are reluctant to go beyond it.

Even those who see the necessity of going further find it difficult to talk about it. Someone is sure to confuse matters by introducing discussions of "merit" hiring and promotion and "reverse discrimination."

The concept behind merit employment is that, given two applicants for the same job, the better qualified one should be hired. It is this concept that has resulted in so many holders of master's degrees delivering mail for the Nation's post offices.

THE REASON for this is that we have somehow decided that a man with a master's degree is better qualified for any job than a man who has only a high school diploma. Common sense tells us it ain't necessarily so.

It may be talking out of school, but an illustration of the difference between nondiscrimination and integration is what is happening at newspapers across the country, including The Washington Post.

When the long hot summer became an American institution, big-city newspapers discovered that it was to their advantage to have black reporters on their staffs. Without either acknowledging any past discrimination against black applicants or any decision to lower standards, these newspapers managed to find black newsmen.

(Those papers that have found it advantageous to have black distributors of their product likewise have hired them.)

These same newspapers, however, have made substantially less progress in their clerical, accounting and advertising departments —not because they have been discriminating against Negro applicants but because they have been relying on mere nondiscrimination.

BECAUSE nondiscrimination and integration aren't the same thing, they require different techniques for their implementation.

The newspaper that decides to be scrupulously nondiscriminatory in its advertising department will weigh carefully the qualifications of every applicant. If no Negro happens to apply, well, whose fault is that?

But let that same newspaper decide that it is in its own best interest to have an integrated news staff. No longer do its executives sit back and wait for "fair employment" to work its way. They look for ways to achieve integration.

If the long hot summers have demonstrated anything, it is the need to show to members of minority groups that they, like all Americans, have a stake in the society. One way to accomplish this is to make certain that the society, at every level, is a fair reflection of its components.

That is to say that integration is an important goal in its own right. Once the decision is made to integrate the Nation's work forces, in government and out, it is a simple matter to do so.

IN THE ABSENCE of such a decision, integration is at best an intolerably slow process.

So strong is the grip of past discrimination that it will take a good deal more than mere nondiscrimination to break it now.

Newspapers and police departments, among others, have discovered the value of an integrated work force, and their progress has been amazing. Somehow, without tampering with their standards, they have managed to find the hitherto elusive qualified black applicants.

It is time now that the rest of our society made the same discovery. The dividends may include the very survival of the Nation.

NEW YORK TIMES JUN 18 1969

YOUNG TUTORS TRY SLUM EXPERIMENT

Fifth-Graders' Help Is Basic in Coast Primary School

By STEVEN V. ROBERTS

Special to The New York Times

PACOIMA, Calif., June 14—Ronnie Celestine, a 5-year-old with a broad smile and thick glasses, was carefully pasting a series of letters on a piece of construction paper. When he put one down backward, the teacher gently showed him the mistake.

"Is that the right way?" asked the teacher, Larry White. "Does that look like the other ones?"

It was a normal kindergarten scene, except for one thing. Larry White, the "teacher," is 10 years old.

He and 75 other fifth and sixth graders in the Pacoima elementary school are participating in an experimental program run by the Systems Development Corporation, a nonprofit research organization and financed by the Ford Foundation.

"Ghetto" in Suburbia

The town chosen for the experiment is a "pocket ghetto" in suburban Los Angeles, and the school is 45 per cent Negro, 40 per cent Mexican-American, and 15 per cent white.

Since September, the youngsters have spent one hour a day tutoring kindergarten and first-grade pupils. The ultimate objective of their efforts, according to the project directors, "is a radical change in the total atmosphere — the school must become a learning community with its various members joined in a common effort to improve the learning of all."

"The biggest need throughout education is for a teacher to deal with individual students," said Dr. Ralph J. Melaragno, one of the co-directors. "But it is physically impossible for even the best teacher to do that when she has a class of 30. Using these tutors is a way of reaching individual students with individual needs."

Young tutors have been used before in elementary education, but usually for remedial or extra-enrichment programs. In Pacoima, the tutors are a basic part of the everyday school experience.

"Kids relate better to other kids than to adults" explained Dr. Melaragno, who, with his colleague, Gerald Newmark, has been experimenting in elementary education for a decade. "Most of what kids learn is from their peers anyway, so we're trying to capitalize on that and teach what the schools want them to learn."

How tutors and students "relate" to each other was evident one morning recently in the kindergarten classroom of Miss Judy Walsh, 25.

The class was grouped into six centers of activity, each supervised by a tutor. Larry White was directing the "academic table" and its alphabet exercises. Kate Suda, a 10-year-old, was overseeing a painting corner. Some youngsters were making paper ties and writing messages on the back to their fathers. Other groups were reading, studying alphabet cards, and playing with puzzles.

"I was very skeptical at first," said Miss Walsh, "and we had our problems."

"But now they're like an extra set of right arms; I could not do without them," she said.

On Reading Achievements

The specific achievements of the kindergarten classes they have not yet been tested, but Miss Walsh said that at least 10 youngsters had already finished the second first-grade reader. In her four previous years in the school, no child had ever been able to read the book at all.

Miss Walsh also feels that the tutorial system has created a more positive attitude toward learning.

"I had one child who had been wrestling with a problem, and when he finally finished it, he marched out of the class and right into his tutor's room to show him," the teacher said. "And the kids really like having a "big friend" who says hello to them all the time."

Tutors also have benefited from the experience. "Their parents are overhwelmed by their new poise and sense of responsibility," said Miss Walsh. "Some of them tell me they're even tutoring their brothers and sisters at night."

"These kids show us how to improve ourselves," said Len Marshall, who was working with a slow reader. Kate Suda added: "I like to look at their paintings. They have some real creative ideas. Sometimes they say some real weird things, but it's nice."

At first, teachers found it difficult to have extra people in ther classrooms and did not know how to use them. Some of the tutors lost patience with their youthful charges. But the teachers report that these problems are working themselves out.

Next year, tutoring will take place in all grades. The seven-year project intends to create a self-sustaining structure that will continue when the extra professional staff leaves. The directors also hope to provide a model for other school districts. Philadelphia has already sent an observer to study the experiment and numerous other areas have made inquiries.

U.S. Department of Labor
Manpower Administration

THE MANPOWER DAILY REPORTER

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Washington, D. C. 20210
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Wednesday, June 18, 1969

CHRISTIAN SCIENCE MONITOR JUN 18 1969

FOCUS on labor

What's ahead . . .

Rising living costs are prompting unions to talk about reopening wage negotiations this year and limiting future contracts to a year or two.

Runaway prices are also making unions even more insistent about cost-of-living "escalator" clauses in new labor agreements.

The International Ladies' Garment Workers' Union, among others, is seriously considering asking employers to bargain for higher pay this fall. ILGWU's three-year contract allows one wage reopening before late 1971.

Meanwhile, the International Chemical Workers Union is urging its locals to work toward annual negotiations (they now have three-year agreements) to provide "a better opportunity to catch up with the inflationary spiral."

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Even before John L. Lewis's passing, leadership problems were developing in the United Mine Workers.

Although Mr. Lewis, long retired and inactive, has been little more than a symbol in UMW, his departure may make the incumbent regime of W. A. (Tony) Boyle even shakier. Mr. Boyle moved up to the union's presidency with Lewis support.

For some time, a rank-and-file revolt against Mr. Boyle was largely disorganized. Now Joseph Yablonski, an international official from Pittsburgh since 1942, has announced that he'll oppose Mr. Boyle in UMW's election this fall. He is expected to have strong backing from Eastern locals that objected to Mr. Lewis's choice of Mr. Boyle, a staff man, over someone from the coal mines when new leadership was considered.

model cities - chicago

⊖

Cracks are showing up in the barriers that have long stood in the way of low-cost, factory-built housing.

In the past, construction unions have insisted, militantly, that construction work must be done on the site.

Now 12 building-trades unions in the Detroit area have signed what they call a "pioneering" agreement with Lebon Homecorp., headed by Negro builder Lebon Walker. The pact covers factory manufacturing and on-site erection of low-cost homes.

The unions call the agreement a "recognition of realities"—of the need to provide large numbers of inexpensive homes quickly.

As a national pattern, they say this pact could have "far-reaching implications for the entire housing industry."

But more might be involved. It's significant that the prefabrication agreement is in an area where Walter P. Reuther and his United Automobile Workers are strongest. They've been threatening to move into factory-built housing if the building trades won't sanction prefabrication.

Detroit is also an area where black militants have been condemning the crafts for a role in retarding low-cost housing and for race bias.

Trends . . .

The United States Department of Labor recently helped nine young men go down to the sea—as shrimpers.

The group, trainees from the Houston area, were given eight weeks of basic training under the federal Job Opportunities program.

Initial stress was on handling trawl gear, repair of nets, seamanship, first aid, engine and machinery care, navigation, and the handling and care of the catch.

Now they have jobs on vessels in a fleet operated by Felix Burney of Houston. They are earning $1.60 an hour at the start, with advances scheduled every 12 weeks.

⊕

Can a mainland worker find happiness picking pineapples in Hawaii?

The Dole Company, the Hawaii State Labor Department, and the Department of Labor in Washington weren't sure. But they decided to experiment by recruiting and flying in about 50 mainland workers to fill a gap in Hawaii's pineapple fields.

The pickers have a six-months' contract to work on Oahu or on Lanai. Like the shrimpers, they're making $1.60 an hour, with an incentive plan for higher earnings.

The men have a variety of backgrounds, often not in agriculture. One admits he thought pineapples grew on trees.

Most are glad they came. Many plan to stay on in Hawaii when their contracts expire.

Dole has high hopes this program will develop a much-needed new source of labor during the crucial harvesting months.

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You may think they went out with the kerosene lamp. But the Labor Department's report on manpower needs says otherwise.

Among "growth occupations," it notes an annual need for 600 new horseshoers and 1,700 railroad telegraphers who know the Morse code.

WASHINGTON POST JUN 18 1969

Employers Reminded On Rights

By Ellen Hoffman
Washington Post Staff Writer

Several major Washington employers have lagged in providing equal employment opportunities for Negroes, a top Federal official said yesterday.

"It is reasonable to expect that a company whose consumers are 70 per cent black" and that is located in and serves Washington "would have a comparable number of black employes," the newly appointed head of the Equal Employment Opportunity Commission said.

William H. Brown III, who has been in office for about five weeks, addressed about 60 employment specialists from Federal and local agencies yesterday afternoon. Law forbids him from identifying these employers, he said.

He suggested that the employment specialists scrutinize Washington's city government and local industries to determine whether they are hiring Negroes for many jobs above the clerical level.

"Equal opportunity is nowhere near where it must be" in Washington or in the Nation, he said.

Too much emphasis has been placed on training "hard-core unemployed" persons, Brown said, instead of getting at the causes of the unemployment.

Referring again to Washington, Brown noted that Federal agencies are moving to the suburbs and creating a "glutted inner-city labor market."

Some employers have set up programs to train hard-core unemployed persons "as a stalling tactic" against removing discrimination, Brown charged.

He also said that some companies discriminate against members of minority groups inadvertently.

Continued on Page 4

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6-69 TEAM 2 RC

Thompson Report Exposes Extent Of Violations by Textile Bosses

By PAM WOYWOD
Staff Writer

It was the second morning of the 1968 TWUA convention. The mood of the delegates up to this time had been one of pride and rejoicing for the past years' achievements. In addition, there was enthusiasm and hope for the future.

However, as the morning wore on, the mood shifted drastically. The speaker for that morning session was Rep. Frank Thompson Jr., (D.-4th) of New Jersey. It was his speech to the assembled delegates which caused the shift in mood. The speech was the result of his having chaired the House special subcommittee on labor during 1967 and 1968.

Much of it was a grim account of the testimony he had heard over those long months. It was obvious that those months had shaken his faith in the National Labor Relations Act and its power to deter unfair labor practices.

He first explained that he and his fellow subcommittee members had heard that some employers deliberately flouted the law and got away with it. Therefore, they decided to hold public hearings in order to test the truth of these "rumors."

"We were ably assisted by officers, employees and members of this great union," he reported. "President Pollock was one of our lead-off witnesses. He presented an overall picture of labor-management relations in the southern textile industry which was almost unbelievable. The testimony left no doubt that some employers deliberately violated the law."

The complete report of those hearings has now been published. Most of our readers are fully aware of the horrors that were testified to in those hearings even though they, themselves, might not have had the same miserable experiences. *Textile Labor* readers don't have to be reminded what their brothers and sisters have gone through.

However, what our readers would be interested in learning from that report is the large part TWUA members and staff played in helping the congressmen come to the above judgment, how the report spurred the congressmen into making recommendations for solving the problems. One has only to read the report to realize that TWUA has made a significant contribution to the future history of labor and legislation for justice for all of the employed in this nation.

In his testimony, Pollock clarified the entire malicious plan that employers carried out against employees who wanted and needed union representation (See TWUA pamphlet, "Conspiracy in Southern Textiles").

The subcommittee's report borrows heavily from his testimony. He recounted the fact that all of these employers followed the same pattern in stopping or breaking union activity: the language of the propaganda was the same; there was a predictable schedule of harassment and job-firings; the same unacceptable demands were offered by management in any negotiation; and, if a company had plants in the north and south—these practices usually took place only in the south.

Finally, the same law firms and management-consultant firms popped up in each case.

The testimonies that followed documented TWUA's premise that there was a well-planned and determined conspiracy to defraud workers of their rights and to disregard the law. It was also clear that the penalties for so doing were less than the gains made from union-busting and the domination of employees.

Page after page of the report features TWUA members and organizers telling their stories of beatings, arrests for leaflet distribution, refusals from local organzations to rent halls to them and intimidation from foremen and other

REP. FRANK THOMPSON JR.

company officials. They also told of community "big-shots" discriminating against them by using bank loans or doctor bills to force union members into a corner. Criminal acts by police and local sheriffs occurred in every testimony. Jobs lost, suits filed, delays, delays and delays—and when the last ruling was made, those who had survived got little more than their back pay.

Our people were not the only ones to tell these stories. An organizer from the United Auto Workers told of his experience in Nebraska where no one would rent a motel room to him until he got 50 miles away from the target town. Then the local banker called in the loans of workers who signed cards. A local lawyer called men in to warn them of what would happen to them if they didn't stop trying to organize.

Meat cutters in Tennessee and clothing workers in Georgia were fired and their organizers beaten.

Everything that has happened to us has happened to other unions . . . and not just in the south. It was obvious that the tactics learned in the southern mills were creeping into newer and wider areas. The employers learned that the Labor Relations Act could be ignored. And, if these tactics aren't stopped, labor will be forced back into the decades of the pre-Wagner Act.

TWUA and all union members should give great credit to the fore-

PAGINATION INCORRECT

Report Is Searing Indictment of . . .

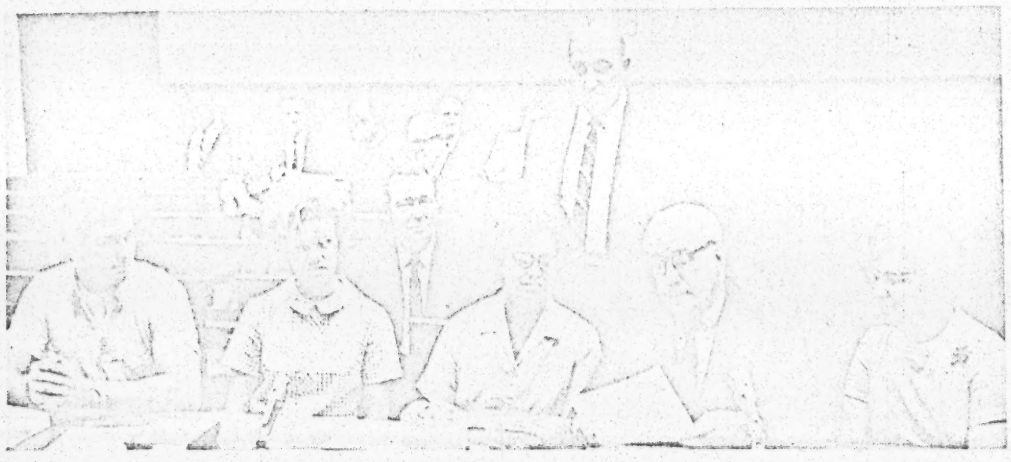
sight of the subcommittee members for their immediate grasp of this fact. Their recommendations would go far in stopping this galloping rush toward the garbage trough that employers consider to be employees' rights.

Textile workers can take further pride that these recommendations follow closely those that TWUA outlined in a brochure entitled, "The Hollow Promise":

- Double and treble damages to be assessed against violators of the law;
- Disqualification from government contracts for repeated violators;
- Immediate reinstatement for employees who have been found to be improperly discharged—even if an appeal is to be made;
- Those who live or operate in the community and are acting in the employer's interest should be considered in the same category as agents of the employer.

In addition to the above recommendations that TWUA asked for in direct testimony, the congressmen offered others. These arose from hearing the long recitals of woe and hardship from TWUA and other union members.

- Enforcement of the Civil Rights Act that forbids surveillance and beatings of persons pursuing their rights;
- In those localities which forbid leafleting or contain traffic ordinances prohibiting the same on roads and highways, "NO TRESPASS" signs on the company property will not be considered reasonable and could cause the NLRB to rule an election invalid;
- If an organizer, etc., is arrested under unconstitutional ordinances, he may remove his case to a federal court immediately;
- The NLRB can deny the right to counsel or practice before itself to any law firm which advises violation of its laws;
- The NLRB can delegate greater finality to its examiner's decisions and refuse to review unless two or more of the board decide a case warrants review;
- NLRB rulings should be self-enforceable and not dependent on court rulings.



It was the testimony of these four TWUA members plus that of General President William Pollock, second from right, and others, which stunned the Special House Subcommittee on Labor during hearings in 1967 and 1968 into realizing the extent of violations of the law by textile employers.

What these mean in relation to a union person's life can be illustrated in the following fictitious but easily identifiable case:

Jim West and Bill Cord telephone the nearest TWUA office and ask for some help with their problems in their mill. The employees of Storm Mills are upset about the low pay, promotion by favoritism and the meanness of some foremen. They had agreed that a union could help.

After a call, an organizer from the union arrives in town and calls a meeting. At the meeting, the organizer explains how an organizing campaign is carried on, and all agree to work.

It is discovered that their town prohibits leaflet passing on the streets. The plant is located on the highway and there is a law against slowing traffic, etc. The only available place to pass their leaflets inviting workers to an organizing meeting is at the gate. Bob Merritt, the organizer, and a few of the men who are free during the morning shift, stand out at the gate on Wednesday morning and hand out the leaflets.

The next morning, when they arrive at the gate, there are "No Trespass" signs everywhere and five or six guards at the gate. They leave. (*Under the recommendations, the signs could become an immediate cause for an NLRB ruling. See below.**)

On Friday, the director of the community hall phones Jim and says that their rental permit has been canceled. The men decide to hold the meeting in the supermarket parking lot, which is empty after 7 p.m. While the speeches are being made, the chief-of-police and eight policemen appear and order the people to go home. When some angry shouts are directed at the police, the chief gives the "go-ahead" and arrests are made, plus some beatings.

Those arrested remain in jail for a week because the judge cannot seem to be found to arrange bail. (*Under the recommendations, a lawyer, representing those arrested, could go to the federal court and immediately remove these cases to the federal court, thereby releasing the people from jail and later exonerating them during the trial—violations of the right to assemble.*)

That night, Bob observes a car following him everywhere he goes. When he returns to his motel, it pulls in the motel court and four men go into the motel coffee shop. Bob goes into his room and tries to get a few hours of sleep. It is 3 a.m. A half hour later, a knock on the door jolts him awake. No one answers his, "Who's there?" He doesn't open the door. Finally, "Sheriff's office" reassures him and he opens the door. The four men, one in a deputy's uniform, enter and start hitting him with rubber hoses. His papers are torn

. . . Policemen, Attorneys, 'Agents'

up and some are stolen. Although no bones are broken, he is badly bruised and has a slight concussion.

(*The recommendations state that this is a civil rights case and can be prosecuted under the 1968 Civil Rights Act. The rights violated in this case are free speech, free assembly and the right to organize a union.*)

Therefore, Bob could and should file a suit in the federal court.

In spite of all this harassment, 72% of the workers in the plant sign the cards and these are filed with the NLRB, calling for an election. During the waiting period until the board can order an election, company officials and their lawyers force the workers to attend meetings in the plant. The lawyers warn the workers that their jobs are in jeopardy if they continue to organize.

(*The report would have the lawyers and their firm barred from any further practice before the NLRB again. Now a firm cannot retain a client if one of its functions is eliminated, so this is a real threat.*)

Jim and Bill are fired and an unfair practices suit is filed. While they are awaiting the hearing, the election is held and the union loses. (**The recommendations would allow a new election because of the signs.*)

Four months later, the trial examiner hears Bill's case and he wins. (*Now, under the recommendations, two things can happen. First, if the trial examiner has more finality, Bill's case probably won't be reviewed and if the NLRB's decisions are self-enforceable, the case won't have to go to court. Secondly, Bill will be reinstated immediately. This would be true even if appeals were made. He would be working while they are in progress.*)

The second point is of greater importance. In addition to the problems it solves for the discharged employees, it cuts into the central nerve of the employer's strategy, as quoted within the report, "It's cheaper to fire employees mixed up in union affairs, even if you have to pay their back pay."

Reinstatement will offer them no advantage to fire the employee. Being fired will not work as a scare tactic nor as a means of cutting-out the leaders. The salary lost hurt the discharged employee so much that it had been the main terror tactic, much more than physical abuse. If there were a number of firings, there also were corporate savings in interest and tax losses.

(*The recommendations would double or triple any back salary losses, which would be a further deterrent. None of these recommendations would affect the honest employer who discharges an employee for a validated evaluation of his performance on the job.*)

We come next to those community "leaders" who harassed the employees —the bankers who threatened them with foreclosures on their mortgages; the doctors who refused treatment unless cash was prepaid from men and women whom they knew had no money; the merchants who harassed the workers about their bills and counseled "making up" with the boss; the minister who preached sermons about "union servants of the devil, bent on destroying the town"; etc., all of these are presently untouched by the law as they do not fall within the definition of "agent". The congressmen would change that definition and also consider their actions an unfair labor practice.

The biggest "club" of all, the one that would be the deciding factor in stopping these practices, is to prohibit these employers, such as J. P. Stevens, for example, from bidding on federal contracts. As repeated violators of the law, they finally would be treated as the criminals they are. (See page 6).

This is what these recommendations would mean to working men and women everywhere, but especially in the south. The undersigned of the report, Reps. Thompson, James O'Hara, Hugh Carey, James Scheuer, John Brademas, William D. Ford, Carl Albert and Ogden Reid, are willing to fight for these recommendations in Congress.

However, as one informed source stated in an interview, "This Congress is not going to pass any labor legislation on the employees' side. The subcommittee was dissatisfied with its original bill after the hearings, but even that bill could not have made it through. They hope to hold further hearings this year on the sections controlling "negotiations in good faith," after the parent committee (Labor and Education) is finished with its business."

He further pointed out, "Except during the hearings, there has been little publicity on the report. We are in great need of articles of the type your union is doing and the publicity TWUA and other unions can give to these issues. Only then can voters return congressmen to Washington who will enact fair legislation for employees."

TWUA returns the compliment and pledges to spread the important information contained in the report to its membership and, through them, to the greatest number of voters it can reach.

At a TWUA rally in Charlotte, N.C., on Feb. 24, 1968, Rep. Frank Thompson Jr. gave his wholehearted support to workers who were illegally discharged by J. P. Stevens. Here, the Congressman congratulates Shirley Hobbs for the courage she displayed after being harassed and then fired by Stevens. For an account of the vicious way Stevens treated Mrs. Hobbs, see page 6.

TEAM — RC

Stevens Contemptuous?

Is the Sky Blue?

J. P. STEVENS, like the villain in a 19th Century melodrama, may be on the verge of getting its just desserts. . . . for the NLRB has asked a federal Appeals Court to find the company guilty of contempt for disobeying two previous orders to stop violating the rights of its employees.

As TWUA members well know, Stevens is the nation's most notorious union-busting firm with a long series of NLRB findings and court orders against it. Though the contempt motion asks no criminal penalties, if Stevens —the nation's second largest textile concern and government - approved cloth contractor—is found to be in contempt, it will face criminal charges.

Though it would be impossible to reproduce the NLRB's 13-page petition against Stevens in a single page, a number of specific charges will be detailed so that the "unmitigated gall" of Stevens will not be lost in a sea of generalities.

On Sept. 1, 1967 the court entered its 13-point decree against Stevens, the essence of which was for the firm to stop discharging, forcing the termination of, spying on, interrogating, interfering with, restraining or coercing its employees in the exercise of their right to form, join or assist TWUA.

Just how flagrantly Stevens flouted this decree is recorded in the NLRB's report of the occurrences at Stevens' plant in Rock Hill, S. C., from Dec. 22, 1967 to March 22, 1968:

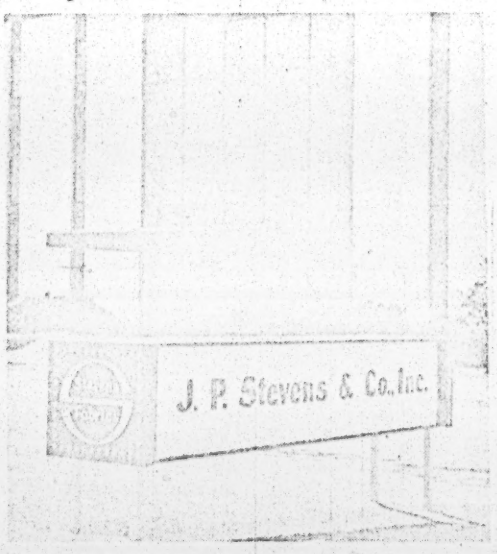
(1) On about Dec. 22, 1967, Stevens, through Max Bowers, its personnel manager, interrogated Gerald Rodgers as to Rodgers' knowledge of the union activities of a co-worker, Bobby Thompson; solicited Rodgers to report anything he heard about Thompson's activity on behalf of the union; and further interfered with and coerced Rodgers in the exercise of his protected rights by warning that the company would terminate the employment of union activists.

(2) Approximately seven days later, Bowers questioned Thompson as to his union activity; threatened Thompson with reprisals and encouraged Thompson to withdraw from the union.

(3) On about Feb. 7, 1968, Stevens, through Charles Ford, its weaving-room overseer, interferred with and coerced Thompson, and discriminated against him by (a) preparing and reading to him a "write-up" relating to Thompson's conduct on Dec. 19, 1967; (b) by imposing a restriction of Thompson's movements throughout the plant.

(4) Three days later, or thereabouts, Ford warned Thompson of the futility and uselessness of his activities on behalf of the union, accusing Thompson of causing "trouble" by soliciting for the union. Ford then fired Thompson.

(5) Approximately Feb. 9 and March 13, 1968, Stevens, through Bowers, interrogated Rodgers concerning the union activity of other employees; on the latter occasion, Bowers questioned Rodgers as to Rodgers' participation in concerted activity and solicited Rodgers in surveillance of the union activities of his co-workers and to report those activities to Stevens.



The NLRB report then goes on to list 25 violations at other Stevens' plants.

But perhaps the most notorious example of the virtually totalitarian, almost sadistic way in which Stevens treats employees who exercise their lawful right to join a union is the case of Shirley Hobbs:

On about Feb. 6, 1968, Pete Rawlings, acting on behalf of Stevens, interrogated Mrs. Hobbs — who had been previously reinstated by the court's decree—concerning the tape recording she had made on her own time of a notice posted by Stevens on the bulletin board which dealt with the union and the court's decision, and Rawlings demanded that she relinquish her tape recording, thereby interfering with, coercing and restraining her in the exercise of her right to engage in protected union activity.

The next day, Mason Lee, acting on behalf of Stevens, issued Mrs. Hobbs an adverse written personnel action report because of her ties with the union.

At various times from her reinstatement on Jan. 3, 1968, to her second discharge on March 13, 1968, Mrs. Hobbs was harassed and intimidated by Stevens through Rawlings, James Alston, assistant overseer, and other Stevens' officials with the intent of forcing her to terminate her employment.

From about Feb. 20, 1968 to March 13, 1968, Stevens, through Ray Mabry, distributed the production work so that reinstatee Shirley Hobbs was given the more difficult work to do and could not make her production quota.

Finally, on approximately March 13, 1968, Stevens, through Rawlings and Mason Lee, unlawfully discharged reinstatee Shirley Hobbs and thereafter refused to rehire her because of her continued support of the union.

It's a sad commentary on the 20th Century when a company with 19th Century concepts is allowed to perpetrate such grave injustices. It's even more lamentable that the current Administration, in what might be described as something less than infinite wisdom, has seen fit to encourage these injustices by granting Stevens a fat government contract.

If ever a company deserved to be taught the meaning of justice, that company is Stevens. As for the word contemptuous, it is not a word that merely describes Stevens. It is a word that is synonymous with Stevens. Therefore, let us hope the court will find Stevens guilty of contempt, thus paving the way for criminal action and also permitting Justice to get up off the ground.

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TEXTILE INFORMATION

AMERICAN TEXTILE MANUFACTURERS INSTITUTE, INC./1120 CONNECTICUT AVE., N. W.
WASHINGTON, D. C. 20036

FOR IMMEDIATE RELEASE

Washington, Feb. ___ --Employment of Negroes in the textile industry has advanced eight times faster than the average for all manufacturing industries since 1960, the American Textile Manufacturers Institute reported today.

An analysis of U. S. Department of Labor statistics shows that of the 984,000 people employed in the textile industry in 1968 some 94,000 were Negroes. This is an increase of 10,000 over 1967.

all jobs or just non-salary?

Latest figures available from the Department of Labor of the State of South Carolina, one of the major textile-producing states, show that Negroes constituted 14.3 percent of the textile mill labor force in South Carolina in 1967. This is a 31 percent increase over 1966.

In 1967, the South Carolina textile industry employed 20,068 Negroes and 120,632 whites. Negro employment in 1967 increased by 6,251, while white employment fell 3,776.

According to the Bureau of Labor Statistics, 3.3 percent of the textile and apparel workers nationally in 1960 were "non-whites." This figure rose to 8.7 in 1967. The all-manufacturing average for "non-white" employment in 1960 was 7.6 percent and 9.3 percent in 1967. In the textile industry, most "non-whites" are Negroes.

Quality of Employment

TEXTILE INDUSTRY FOLLOW-UP BY OTA TASK FORCE

During April 3 thru 11, a task force from the Office of Technical Assistance visited eleven textile companies including twelve facilities in nine counties in the Piedmont area of South Carolina. The current total employment revealed 4,384 jobs including approximately 19.1 percent or 840 held by Negroes.

Despite management's frequent assurances that Negroes are now performing on jobs once considered for whites only, the task force's general impression of the plants visited was that whatever efforts had been expended by management in this direction little tangible results were produced. In those plants where Negroes were in production type jobs, their number was small in comparison to total Negro employment.

The task force found that most of these textile companies rely heavily on referrals of the families of present employees. This practice, undoubtedly, serves to perpetuate the imbalance of Negroes and whites in operating categories. The majority of the companies had never made contact with Negro leaders in seeking minority group applicants.

While most of the companies claimed that there was no formal on-the-job training, it was found that informal training did exist, and in some instances training extended for as long as six months. Only one company had written employment practices and procedures to guide in the supervision and treatment of employees.

The task force made many recommendations to individual companies; in general those recommendations included the following:

1. that management formulate and issue effective written policies regarding equal employment opportunities

2. that management open entry level jobs in the manufacturing process to Negroes, since there is virtually no progression between job categories and departments

3. that management close the communication gap between the company and the Negro community, by utilizing the lists of community contacts submitted by the task force.

Judging from the reception accorded the task force, and the expressed willingness of management to incorporate many of the recommendations into present employment practices, the task force believed that a positive impact was made as a result of the visits.

The outlook for jobs for Negroes in the plants visited is encouraging because of the amount of turnover caused by new industry locating in many of these areas.

To better assess the manpower resources in the areas visited, as well as any company contacts in the communities, the task force spent considerable time in the communities talking with individuals and organizations, a technique found beneficial in the New Plants and Expansion Program.

In September 1968, companies were contacted regarding current employment. From these contacts it was revealed that total employment for eleven companies visited had increased by 269 employees (from 4,384 to 4,653). Total Negro employment reported in September was 1,119 persons - an increase of 279 since the April OTA Task Force visits.

At the time of the April visits Negroes represented 19.1 percent of total employment in the eleven companies. As of September 1968, the percent of Negroes employed in these companies was 24.5 percent - an increase of 5.4 percent in this five month period.

In weighing the significance of the total Negro employment of the companies visited and figures reported during September 1968, it clearly shows that the companies are making sincere efforts to demonstrate credibility by increasing their Negro employment roll.

It should be noted that the total Negro employment during April 1968 was 840 as compared to September, which is 1,119.

TEXTILE INDUSTRY PROGRESS REPORT

Company and Location	At Time of Visit			Current Employment - Sept. 1968		
	Total Employment	Total Minority	Percent Minority	Total Employment	Total Minority	Percent Minority
1. Excel Hosiery Mills Union, South Carolina	92	10	9.2	86	9	10.4
2. Jaclyn Hosiery Mills Camden, South Carolina	85	8	9.4	88	10	11.3
3. Iva Manufacturing Co., Inc. Iva, South Carolina and	90	7	7.7	96	10	10.4
Antraville, South Carolina	110	20	18.0	80	15	17.6
4. Hermitage Cotton Mills Camden, South Carolina	340	19	5.5	352	29	8.1
5. Owens-Corning Fiberglas Aiken, South Carolina	1,700	439	26.8	2,004	620	30.9
6. Manetta Mills Lando, South Carolina	482	98	20.0	466	121	25.0
7. Conso Fastener Corporation Union, South Carolina	565	66	11.0	572	79	13.0
8. Piedmont Plush Mills, Inc. Greenville, South Carolina	137	2	1.4	130	3	2.3
9. Newberry Mills Newberry, South Carolina	585	116	19.0	562	156	27.0
10. Starr Mills Starr, South Carolina	161	33	20.0	170	35	20.0
11. P. Garvan, Inc. Spartanburg, South Carolina	37	22	59.0	47	32	68.0

CONT.

NEW PLANT VISITS

Company and Location	Total Employment	Total Minority	Percent Minority	Total Employment	Total Minority	Percent Minority
Hillsborough Textiles, Inc. Hillsborough, N. C.	0	0	0	130	36	27.6
Monroe Hosiery Finishers Monroe, North Carolina	0	0	0	118	24	20.3
W. J. Dickey & Sons, Inc. Marion, S. C.	109	20	18.3	150	44	29.3
Dow Badische Anderson, S. C.	70	0	0	427	24	5.6

EXHIBIT A

Examples of deficiencies in Recruitment and Hiring

By Section Workers Currently Employed

Dan River Mills - Danville, Virginia (4-10-68)

32% of total male employees are Negroes
9% of total female employees are Negroes

Clifton Manufacturing Company, Clifton, South Carolina (1-15-68)

8.5% of total male employees are Negroes
1.8% of total female employees are Negroes

Woodside Mills - Greenville, South Carolina (1-22-68)

15% of total male employees are Negroes
7.2% of total female employees are Negroes

Liberty #1, Liberty, South Carolina (1-22-68)

6.4% of total male employees are Negroes
3.2% of total female employees are Negroes

Liberty #2, Liberty, South Carolina (1-22-68)

10% of total male employees are Negroes
0% of total female employees are Negroes

Other deficiencies in employment

Dan River Mills - Danville, Virginia
475 female clerical employees - 0 Negroes

Woodside Mills, Greenville, South Carolina
62 female clerical employees - 0 Negroes

Liberty #1. Liberty, South Carolina
10 female clerical employees - 0 Negroes

Clifton Manufacturing Company, Clifton, South Carolina
17 female clerical employees - 0 Negroes

New hires into production jobs

Clifton Manufacturing Company, Clifton, South Carolina (8-1-67 to 12-31-67)

5.5% of male hires were Negroes
0% of female hires were Negroes (162 hires)

Woodside Mills - Greenville, South Carolina (8-1-67 to 1-19-68)

19% of male hires were Negroes
4.5% of female hires were Negroes

Liberty #1, Liberty, South Carolina (8-1-67 to 1-10-68)

7% of male hires were Negroes
0% of female hires were Negroes (25 hires)

Liberty #2, Liberty, South Carolina (8-1-67 to 1-11-68)

12% of male hires were Negroes
0% of female hires were Negroes (6 hires)

Dan River Mills, Danville, Virginia (1-2-68 to 4-8-68)

29% of male hires were Negroes
17% of female hires were Negroes

Division Headquarters, Greenville, South Carolina

Recent staffing of this establishment afforded an excellent opportunity to demonstrate affirmative action on the part of the company. Despite the opportunity, no minority group members were employed in this establishment above the rank of Service Worker. Continuing expansion of this corporate unit will afford opportunities for affirmative action in the area of recruitment and placement.

J. P. STEVENS

EXHIBIT A

Examples of deficiencies in Recruitment and Hiring

Employment Data July 1968

Appleton Plant - Anderson, South Carolina

14% of total male employees are Negroes
2% of total female employees are Negroes

Aragon Plant - Rock Hill, South Carolina

30% of total male employees are Negroes
8% of total female employees are Negroes

Clemson Plant - Clemson, South Carolina

10% of total male employees are Negroes
6% of total female employees are Negroes

Cleveland Plant - Shelby, North Carolina

10% of total male employees are Negroes
5% of total female employees are Negroes

Delta Finishing Plant - Wallace, South Carolina

27% of total male employees are Negroes
10% of total female employees are Negroes

Greer Plant - Greer, South Carolina

14% of total male employees are Negroes
5.8% of total female employees are Negroes

Monaghan Plant - Greenville, South Carolina

13% of total male employees are Negroes
6% of total female employees are Negroes

Patterson Plant - Roanoke Rapids, North Carolina

18% of total male employees are Negroes
5% of total female employees are Negroes

Employment Data July 1968 (cont'd)

Republic Plants (3) - Great Falls, South Carolina

22% of total male employees are Negroes
8.6% of total female employees are Negroes

Rosemary Plant - Roanoke Falls, North Carolina

16.5% of total male employees are Negroes
5% of total female employees are Negroes

Victor Plant - Greer, South Carolina

14% of total male employees are Negroes
9% of total female employees are Negroes

Whitmire Plant - Whitmire, South Carolina

17.6% of total male employees are Negroes
8% of total female employees are Negroes

Total employment all plants surveyed:

7,637 males of which 17.8% are Negroes
4,930 females of which 6.6% are Negroes

Office and Clerical employees for all facilities:

1,637 Office and Clerical - Male - 67 Negroes (4%)
2,749 Office and Clerical - Female - 36 Negroes (1.3%)

In addition to the above, other imbalances in the employment postur is apparent in the following:

Technicians	641	-	Negroes 9
Professionals	380	-	Negroes 2

New hires into production jobs since 1 December 1967

Appleton Plant	-	63 females employed	-	6	Negroes
Cleveland Plant	-	37 females employed	-	4	Negroes
Delta Finishing	-	64 females employed	-	1	Negro
Greer Plant	-	39 females employed	-	15	Negroes
Monaghan Plant	-	30 females employed	-	4	Negroes

New hires into production jobs since 1 December 1967 (cont'd)

Republic Plant	-	117 females employed	-	28 Negroes
Rosemary Plant	-	25 females employed	-	3 Negroes
Whitmire Plant	-	50 females employed	-	11 Negroes

In contrast to these figures Negro male hires at these plants ranged from 15% to 75% of total employed. Statistics relative to females employed at other locations not available at time of surveys.

EXHIBIT I

Examples of deficiencies in Transfer, Placement, Promotion and Upgrading

Appleton Plant - Craftsman	-	3% Negro
Laborer and Service	-	21% Negro
Aragon Plant - Craftsman	-	3.6% Negro
Laborer and Service	-	74% Negro
Clemson Plant - Craftsmen	-	1.2% Negro
Laborer and Service	-	25% Negro
Cleveland Plant - Craftsmen	-	2.3% Negro
Laborer and Service	-	45% Negro
Delta Finishing Plant - Craftsmen	-	16% Negro
Laborer and Service	-	75% Negro
Greer Plant - Craftsmen	-	0% Negro
Laborer and Service	-	40% Negro
Monaghan Plant - Craftsmen	-	0% Negro
Laborer and Service	-	46% Negro
Patterson Plant - Craftsmen	-	0% Negro
Laborer and Service	-	44% Negro
Republic Plant - Craftsmen	-	0% Negro
Laborer and Service	-	70% Negro
Rosemary Plant - Craftsmen	-	3.3% Negro
Laborer and Service	-	40% Negro
Victor Plant - Craftsmen	-	1% Negro
Laborer and Service	-	38% Negro
Whitmire Plant - Craftsmen	-	0% Negro
Laborer and Service	-	52% Negro

The survey team must conclude that the above statistics indicate inequities in promotion/upgrading as a seniority list of employees by job title, pay rate, sex and minority group status was not available for analysis at time of survey.

Statistical totals of all corporate facilities reflects the same disparity in classification:

Craftsmen	-	5471 employed	-	106 Negroes	-	2%
Laborer and Service	-	3828 employed	-	1358 Negroes	-	35%

In addition to the above the corporation employs 2619 Officials and Managers in which category are included all production supervisors. Of this total the company employs only 3 Negro production supervisors.

EXHIBIT A

Examples of deficiencies in Recruitment and Hiring

Erwin Mills, Durham, N. C.

33% of total male employees are Negroes
7.8% of total female employees are Negroes

Fayetteville Plant, Fayetteville, N. C.

21% of total male employees are Negroes
7% of total female employees are Negroes

Franklinton Fabrics, Franklin, N. C.

26% of total male employees are Negroes
7.5% of total female employees are Negroes

Lexington Plant, Lexington, N. C.

22% of total male employees are Negroes
14% of total female employees are Negroes

Mayflower Plant, Gaston, N. C.

10.4% of total male employees are Negroes
7.4% of total female employees are Negroes

Mays Plant, Cramerton, N. C.

16% of total male employees are Negroes
7.8% of total female employees are Negroes

Mooresville Mills, Mooresville, N. C.

20% of total male employees are Negroes
17% of total female employees are Negroes

Raeford Worsted Plant, Raeford, N. C.

20% of total male employees are Negroes
10% of total female employees are Negroes

Exhibit A (Con't)

Selma Hosiery Co., Dillon, S. C.

5% of total male employees are Negroes
7% of total female employees are Negroes

Spencer Love Plant, Burlington, N. C.

20% of total male employees are Negroes
20% of total female employees are Negroes

Transportation Division, Burlington, N. C.

6.6% of total male employees are Negroes
1.5% of total female employees are Negroes

Wilson Plant, Wilson, N. C.

38% of total male employees are Negroes
25% of total female employees are Negroes

Corporate (Total)

13.7% of total male employees are Negroes
8.8% of total female employees are Negroes

New Hires

Raeford Worsted Plant	- Negro Males	40%
	Negro Females	24%
Franklinton Plant	- Negro Males	80%
	Negro Females	58%
Erwin	- Negro Males	61%
	Negro Females	27%
Mays Plant	- Negro Males	28%
	Negro Females	16%

Exhibit A (Con't)

Transportation Division	-	13 Drivers - 0 Negroes
		5 Console Opr. - 0 Negroes

Corporate (Total)

Office & Clerical-Male	-	6.6% Negro
Office & Clerical-Female	-	2.5% Negro
Technicians	-	722 employed - 15 Negroes
Professionals	-	1485 employed - 6 Negroes

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EXHIBIT B

Examples of deficiencies in Transfer, Placement, Promotion and Upgrading

Erwin Mills

Craftsmen	2.2%	Negro
Laborers	45%	Negro

Fayetteville Plant

Craftsmen	2.6%	Negro
Laborers	50%	Negro

Franklinton Plant

Craftsmen	3%	Negro
Laborers	86%	Negro

Lexington Plant

Craftsmen	0%	Negro
Laborers	30%	Negro

Mays Plant

Craftsmen	4.5%	Negro
Laborers & Service	26%	Negro

Mayflower Plant

Craftsmen	1.3%	Negro
Laborers	55%	Negro

Moorresville

Craftsmen	1%	Negro
Laborers	49%	Negro

Raeford Worsted Plant

Craftsmen	2%	Negro
Laborers & Service	43%	Negro

Exhibit B (Con't)

Selma Plant

Craftsmen	0%	Negro
Laborers	17%	Negro

Spencer Love Plant

Craftsmen	0%	Negro
Laborers & Service	34%	Negro

Wilson Plant

Craftsmen	1.6%	Negro
Laborers	80%	Negro

Transportation Division

Craftsmen	6%	Negro
Laborers & Service	39%	Negro

Corporate Statistics (Total)

Craftsmen	1.9%	Negro
Laborers & Service	34%	Negro

In addition the classification of Officials and Managers, where production supervisors are listed, the totals are 4776 employed with 10 Negroes.

The survey team must conclude that the above statistics indicate inequities in promotion/upgrading as a seniority list of employees by job title, pay rate, sex and minority group status was not available for analysis at time of survey.

JOHN K. CAUTHEN
Vice-President

Textile Mills Hiring More Negroes

By HUGH E. GIBSON
Special Assignment Editor

COLUMBIA — Negro employment in South Carolina textile mills has increased dramatically in the last five years under the joint stimuli of civil rights legislation and labor shortages.

Latest estimates place the number of non-whites holding textile jobs as of June 30, 1968, at 23,700 — or 16.6 per cent of the total 142,700 textile labor foce.

On that same date in 1963, non-whites totaled only 6,357 in the textile mills and accounted for just 4.9 per cent of that industry's total labor force.

The huge jump came in non-white male employment, up from 5,919 and 4.6 per cent of the total labor force in 1963 to an estimated 17,500 last year that accounted for 12.2 per cent of the employment total.

Simultaneously, non-white female employement rose from 338 and .3 per cent of the total work force in 1963 to 6,200 last year, 4.4 per cent of the work force.

Unquestionably, those figures have grown considerably in the intervening months as textile management pushed an active campaign to recruit both Negro men and women.

At two Columbia plants, one reported Negroes constituted 75 per cent of its new hirees in the past six months and the other said they were an even 50 per cent.

WHITE WORKERS

White male employment meanwhile has skidded from 60 per cent of the textile work force in 1958 to 49.4 per cent last year. The comparative figures for white females are 35.3 per cent and 34 per cent, respectively.

Should this trend continue, although no one in the textile industry is saying so, it is not inconceivable that in the not too distant future non-whites will outnumber whites in some textile plants.

Furthermore, although no non-white now is known to hold an executive post, the door is clearly open. And training programs in which non-whites participate equally with whites unquestionably will produce an ever-broadening stream of supervisory personnel.

That was the general picture that emerged Tuesday as The News and Courier probed the validity of charges that the textile industry deliberately discriminates against Negroes.

ACCUSATIONS

The accusations led the Pentagon early this year to withhold defense contracts from J.P. Stevens & Co., Dan River Mills and Burlington Industries.

The contracts, totaling $9.4 million, have since been released and will be executed in part at five South Carolina plants. But the Pentagon has come under severe fire for that action from the congressional civil rights and labor union sectors.

First District Rep. L. Mendel Rivers fired back at the chief critic, Sen. Walter F. Mondale, D-Minn., and issued a "put up or shut up" challenge to document the discrimination charges.

Five years ago, Sen. Mondale could have found all the ammunition he needed in Section 40-452 of the South Carolina Code. It forbade persons of different races from even working together in the same room, simultaneously using the same toilets or even stairways, or appearing together at the same textile pay window.

The penalty was $100 or 30 days in jail, or both, for each offense.

"This section shall not apply to employment of firemen as subordinates in boiler rooms, to floor scrubbers and those persons employed in keeping in proper condition lavatories and toilets or to carpenters, mechanics and others engaged

... Mills

Continued From Page 8-C

in the repair or erection of buildings," the law stated.

That was the "law of the land" in South Carolina textile plants until Congress enacted the 1964 Civil Rights Act. Atty. Gen. Daniel R. McLeod thereupon declared the state statute "null and void" in an opinion quietly circulated to concerned textile executives.

LITTLE TIME

It was a second "emancipation proclamation," insofar as Negro textile employment was concerned. And Tuesday, surveying what the impact has been, John K. Cauthen, executive vice president of the S. C. Textile Manufacturers Association, marveled that so much has been accomplished in so little time.

"So we really haven't had much time," he pointed out. "I don't see how we've added that many Negroes (in the time available)."

In part, at least the progress has been due to Cauthen's own energetic actions and imagination.

With enactment of the 1964 civil rights law, Cauthen arranged a panel discussion for textile personnel directors. To explain the "realities" of the new situation, he brought before them the current U. S. district attorney, the state's attorney general and a labor relations expert from Greenville.

CAMPAIGNS

The briefing proved so popular it was twice televised over facilities of the S. C. Educational Televison Commission.

In the textile plants themselves, white workers were "prepared" in advance to accept the fact that Negroes would begin working beside them.

There were dire predictions of "trouble" from some quarters, but Cauthen and the textile management people had done their advance work well. Plant integration has been "remarkably successful."

"We've had no problems of any consequence, as among Negroes and whites working together," Cauthen said. "They (management) have been amazed and delighted by it."

The retention rate among new Negro employes has been even higher than among their white counterparts, Cauthen said.

By June 30, 1967, an even 20,000 Negro men and women were employed in the textile mills and shared a payroll that totaled $635.3 million.

The ensuing year saw 3,700 additional Negroes employed and unquestionably well over 23,700 now are sharing in the $2.20 average textile hourly wage.

POPULAR BRIEFING

Active recruiting campaigns to attract and employ Negroes in textiles are commonplace in South Carolina.

"Yes, I think most of your plants now have established relationships with the predominantly Negro schools where they're looking for promising youngsters," he said.

"The same is true for the technical education centers," he added.

Practically all plants now have Negroes in basic textile training and in that training that leads to promotin.

"We'vd been doing that of years," Cauthen commented.

The executive vice president knew of no non-whites in executive positions.

"But I'm satisfied we've got some (as) supervisors," he said.

TEXTILE OFFICES

Negroes also are employed in textile offices in supervisory and clerical positions, but in "minimal" numbers, Cauthen said. Their numbers would be larger, he indicated, if it were not for the difficulty in locating persons with the necessary qualifications.

The number of Negro women employes — a sore point with Sen. Mondale and other critics — would be larger if there were more who could qualify as clerks and stenographers, Cauthen said.

Most Negro textile workers now are in spinning or weaving operations.

"You find them in jobs traditionally performed by (white) women," Cauthen said. "That's even run into the offices, minimally."

Automation, too, has helped to swell the number of Negro women employes by opening to them jobs that were formerly held exclusively by the physically more robust males.

On its face, the only practical limitation on "Negro textile employment appeared to be the fact that a majority of the state's 400 plants are located in the Piedmont, where non-whites are relatively scarce.

Asked whether there are any plans to bus Negroes to the Piedmont mills from such famous "poverty" pockets as Beaufort County, Cauthen smiled and shook his head.

"I doubt that Greenville wants a ghetto," he observed.

Tower Amendment

resolution (S. Res. 308) was re- to the Committee on Rules and istration, as follows:

ed, That there shall be printed as a document a compilation, to be pre- y the Library of Congress, of repre- e published speeches, or selections m, of General of the Army Douglas hur.

ONAL STATEMENT BY SENATOR KUCHEL

TOWER. Mr. President, I ask mous consent that I may yield to enator from California for a few nts, without losing my right to the

PRESIDING OFFICER. With- bjection, it is so ordered.

KUCHEL. I thank my able friend Texas.

President, I desire to have the show that the senior Senator California is present. I regret that as detained and could not reach the mber before 20 minutes elapsed dur- the last quorum call. I believe the or Senator from California has a rea- bly decent record of attendance in Senate.

thank the distinguished Senator m Texas.

Mr. TOWER. It was a pleasure to d to the Senator from California. I uld not want anything to be a blot his marvelous escutcheon.

Mr. KUCHEL. Mr. President, I thank y able friend.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration the bill (H.R. 7152) to enforce the onstitutional right to vote, to confer isdiction upon the district courts of United States to provide injunctive ief against discrimination in public ccommodations, to authorize the Attor- y General to institute suits to protect onstitutional rights in public facilities and public education, to extend the Com- mission on Civil Rights, to prevent dis- crimination in federally assisted pro- rams, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. TOWER. Mr. President, I wish to address myself in some detail to the Fair Employment Practices section of the bill, H.R. 7152, which, although the mat- ter certainly should be considered sepa- rately, has been included in the pro- posed omnibus legislation as title VII.

The FEPC would subject a great part of American industry to bureaucratic whims, prejudices, and caprices to a de- gree never before contemplated. A hun- dred times a day an employer makes de- cisions affecting his employees. Under this title, every one of those decisions would be subjected to the scrutiny of a Government agent to determine the em- ployer's state of mind when he made such decisions.

If he is a successful businessman, an employer is guided by the primary test of what, is his singular opinion, is best for his business. The employer dis- charges, promotes, demotes, transfers, and gives his orders with that thought as his controlling motive.

Each such act on his part requires se- lection and discrimination among his employees. Each such act is, therefore, subject to the charge that the race, reli- gion, color, national origin, or sex of the employee or employees affected thereby determined, in part, his selection.

Unfortunately, most of us, when passed over for another, are prone to ascribe some reason other than that of relative competence. This bill would open the door for the continual harassment of the employer. The disappointed employee would have a Federal bureaucracy await- ing his beck and call into duty against the employer.

Managing one's business under the conditions of this Fair Employment Practices title would present an unhappy prospect to the employer who desired to comply with the law.

Employers have sometimes found it difficult under the National Labor Rela- tions Act, which imposes the restriction that an employer not discriminate be- cause of his employees' union activity. When a union was attempting to orga- nize under this plan, any discharge or demotion of a union member, irrespec- tive of the justification, insured a visit by a National Labor Relations Board in- vestigator. The employer soon learned that to the test, "Will it be good for my business?" he had to add, "Will it sub- ject me to a possible unfair labor practice charge?"

Mr. President, it is proposed to add five more considerations for the employer to worry about: race, religion, color, na- tional origin, and sex.

There was one solution open to the em- ployer under the National Labor Rela- tions Act: He could sign a closed shop contract with the union, and, with all his employees members of the union, there could no discrimination. Of course, that discriminated against all prospective em- ployers who were not members of the union, but that did not violate the law.

Mr. McCLELLAN. Mr. President, will the Senator from Texas yield?

Mr. TOWER. I yield to the Senator from Arkansas.

Mr. McCLELLAN. The Senator from Texas said the employer could evade or avoid the responsibility under the bill by signing a contract for a closed shop. I believe there are approximately 20 or 21 States in which an employer is forbidden by law from agreeing to a union shop. So in those States he could not agree to a union shop without violating the State law.

Mr. TOWER. That is absolutely cor- rect.

Mr. McCLELLAN. So if an employer undertook to sign such a contract, he would find himself in another predica- ment; would he not?

Mr. TOWER. That is true.

Of course, under the National Labor Relations Act of 1935, immediately fol- lowing its enactment this possibility would have been available to a greater number of employers than it is now, be- cause at that time less than 20 States had on their statute books right-to-work laws.

Mr. McCLELLAN. Yes; I think only 11 States then had such laws.

Mr. TOWER. Yes. But, since that time, approximately 20 States have put on their statute books right-to-work laws; and in such States an employer cannot sign a closed shop contract. Therefore he is subject to a great deal of harassment by the unions and by the Federal officials who are charged with the responsibility of implementing our labor laws.

Mr. McCLELLAN. Mr. President, will the Senator from Texas yield further to me?

Mr. TOWER. I yield.

Mr. McCLELLAN. Assuming that an employer undertook to do that in a State which had enacted a right-to-work law, and assuming that he undertook, let us say, to make an agreement for a closed shop, in a State which had a right-to- work law, would not that action raise a legal question—which would have to be resolved by the courts—as to whether these fair employment practice statutes in effect repealed section 14(b), I believe it is, of the Taft-Hartley Act, which au- thorizes the States, if they desire to do so, to enact statutes prohibiting a closed shop? Would not the question then arise as to whether that statute was repealed or whether the fair employment prac- tice provision, or whatever it is called——

Mr. TOWER. It is called "equal em- ployment opportunity," but it is the old "fair employment practices" proposal.

Mr. McCLELLAN. Yes. Would it not then raise the question of whether the new statute now proposed, by means of the pending bill, had preempted State laws already in existence?

Mr. TOWER. Yes. It would open up a whole Pandora's box of possibilities. Certainly, under section 14(b) of the Taft-Hartley Act, any State is competent to enact a right-to-work law, if it wishes to enact one and to enforce it, without any inhibition by the Federal Govern- ment.

I think the Senator from Arkansas has correctly pointed to the very interesting possibility that we might be getting into some implied repeal of section 14(b) of the Taft-Hartley Act, by means of the proposed enactment of the pending very extensive "fair employment practice" law.

Mr. McCLELLAN. If an employer in a State which had a right-to-work law entered, in dealing with a union, into a contract for a closed shop, could not a prosecution or litigation to restrain the employer from entering into such an agreement be based on the allegation that such an agreement would be in vio- lation of the State law; and, in response, would not the employer be able to plead—although whether he could plead it successfully or not, I do not know— the defense that the pending bill—if then enacted—would, in effect, by implication, have repealed that provision of the Taft- Hartley Act, and thus would have pre- empted the States from enacting a right- to-work law?

Mr. TOWER. It is altogether conceiv- able that he might raise that as a de- fense; and if the matter were pursued through the Federal courts, and if ulti-

Tower Amendment 4/18/64

Appendix of the RECORD. I am most grateful for the Senator's welcome.

Mr. KUCHEL. I am delighted to see the Senator from West Virginia.

Mr. RANDOLPH. I thank the able senior Senator from California.

Mr. TOWER. Mr. President, I am very glad that our good friend from West Virginia has returned to the Chamber. We welcome him. We are glad to observe that he seems to be in robust health.

Mr. RANDOLPH. The Senator from Texas is thoughtful, and I appreciate his remarks.

Mr. HILL. Mr. President, the distinguished Senator from Texas [Mr. TOWER] and I serve on the Committee on Labor and Public Welfare with the distinguished Senator from West Virginia. During his recent absence, we missed him greatly. We deeply sympathize with the ordeal he had to go through; and we are delighted to have him back with us. All of us know full well of the very fine work he does in our committee; and all of us know full well, too, of his exceedingly fine work in the Senate itself.

We salute him, and are extremely happy to have him back with us.

Mr. RANDOLPH. I thank the Senator from Alabama. I cherish our friendship of many years, extending back into the 1930's when we were colleagues in the House of Representatives. It is a privilege to serve on the Labor and Public Welfare Committee under his competent leadership.

Mr. BAYH. Mr. President, will the Senator from West Virginia yield briefly to me?

Mr. RANDOLPH. I yield.

Mr. BAYH. Mr. President, I wish to second the remarks of the Senators who have paid their respects to the distinguished Senator from West Virginia.

As a relatively junior Member of the Senate, I wish to state that I have always regarded the Senator from West Virginia as one of the pillars of the Senate; and I have been very happy to serve with him on the Committee on Public Works.

All of us have sent him our prayers.

Now that you are back with us, Senator RANDOLPH, we are more than delighted; and we trust that you will now be able to return to the harness.

Mr. RANDOLPH. Mr. President, I appreciate the remarks of the Senator from Indiana, and I thank my friends and colleagues, all. Their remarks have been expressed in much too generous terms.

Mr. President, I wish to comment on what the Senator from Indiana [Mr. BAYH] has said about prayer. We know the skill of the surgeon's hands. There are other powers that are very real. Strength comes to a person through prayer, and hope, and faith. I know this through a time of testing.

I recall some lines written by Ella Wheeler Wilcox:

Say you are well, or all is well with you;
And God shall hear your words and make them true.

Mr. HILL. Mr. President, will the Senator from West Virginia yield again, briefly, to me?

Mr. RANDOLPH. I yield.

Mr. HILL. Concerning what the distinguished Senator from West Virginia has said, I may say that my father was a physician and a surgeon for 50-odd years. He performed many surgical operations. He always said he could do only 10 percent, and that the good Lord did the other 90 percent.

Mr. RANDOLPH. I thank my friend the Senator from Alabama. I am reminded also of the lines by John G. Whittier which were quoted to me by our beloved Chaplain, Dr. Frederick Brown Harris, as follows:

The healing of His seamless dress
Is by our beds of pain;
We touch Him in life's throng and press,
And we are whole again.

Mr. President, 1 week ago today I entered the Chamber for the first time since my hospitalization. It is a genuine privilege to return again today. I anticipate increasingly frequent attendance.

ORDER OF BUSINESS

Mr. TOWER. Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

Mr. TOWER. I should like to address myself again today to the equal employment opportunity section of the civil rights bill. First, I wish to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. TOWER. Are Senators at this moment bound by the germaneness rule?

The PRESIDING OFFICER. That is correct.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. TOWER. Mr. President, for the benefit of Senators who would probably like to know when the next quorum call will be, in all probability my remarks will take up until about the hour of 2:15, at which time I am reasonably sure there will be a live quorum call.

Again addressing myself to title VII, the equal employment opportunity section of the civil rights bill, on which there was extensive discussion on Monday last, title VII will attempt to impose upon private employers, who are also private citizens, an unprecedented legal obligation by defining a so-called right in other individual citizens, purporting to free them from discrimination by employers in the field of private employment.

Nowhere in the Constitution is there to be found authority giving Congress, by Federal law, the right to control private employment practices to the extent of declaring specifically who an employer may employ in his, the employer's, business. We must not forget that the employer is himself a private citizen with constitutional rights; he should not be deprived of those rights simply because he is an employer.

Some of those who expressed support of this civil rights package prior to reading through it carefully were surprised to find under the equal employment opportunities section, that there is no necessity whatsoever that the employment have something to do with the Federal Government.

This title makes it unlawful for anyone covered by the act to deny so-called equal employment to anybody. Equal employment is defined as all inclusive, covering hiring, all work rules and activities, recruitment, training, and participation in labor unions.

More than 40 million Americans would be covered under this radical law, as would every business engaged in interstate commerce, all labor unions, all Federal contractors, and private contractors in every field in which the Federal Government is active.

I have, in the past, voted against discrimination in Federal programs, and I believe that it is morally wrong to discriminate in employment. But I am opposed to this portion of the administration's civil rights bill because, in its eagerness to protect one civil liberty, the proposal casts aside other fundamental and well-established civil liberties of at least equal importance.

This fair employment practices bill proposes the destruction of the liberties guaranteed to Americans under at least six of the amendments in our Bill of Rights.

The amendments of the Constitution which the bill appears to violate are the 1st, 5th, 9th, 10th, and 13th. They are as follows:

The first, by abridging freedom of speech, religion, and association.

The fifth, by denying freedom of association; denying liberty of contract; denying equal protection under the laws—would operate to guarantee favors to some groups.

The ninth, by proposing that Congress usurp liberties retained by the people.

The 10th, by proposing Federal assumption of a power reserved to the States.

The 13th, by imposing a form of involuntary servitude upon certain groups of employers.

This FEPC proposal vests massive enforcement powers in a Federal Administrator—a nonjudicial officer—and even allows him vast investigative powers.

I have several serious objections to this proposal which, in the name of civil rights, seeks to appallingly expand the control of the Federal Government over citizens and businesses.

there has been persistent effort to include subversive intervention in the concept of aggression by calling it "indirect aggression" and thus to justify military action by states or by the United Nations to stop it. It seems clear that such an interpretation would be contrary to the primary purposes of the United Nations to prevent "the scourge of war" and "to suppress acts of aggression or other breaches of the peace."

The charter makes it clear that any use of armed force by a state in international relations, which includes attacks against public ships on the high seas and across armistice lines, as well as across established boundaries, is forbidden unless necessary for defense against an "armed attack"; unless authorized by the United Nations when faced by a "threat to the peace, breach of the peace or act of aggression"; or unless invited by a state. The recognition in the charter of the "sovereign equality" of states clearly permits a state to use armed force in the territory of another state on the invitation of the latter, but this permission is subject to the conditions that the invitation, even if based on a preexisting treaty, is made freely by the government of the inviting state at the time the force is sent in, that the inviting government is in uncontested control of the state when the invitation is given, and that the forces are used only within the territory of the state issuing the invitation, unless that state is the victim of an "armed attack" from another state justifying "collective self-defense." International law does not permit the use of force in the territory of another state on invitation either of the recognized or the insurgent government in times of rebellion, insurrection or civil war. Since international law recognizes the right of revolution, it cannot permit other states to intervene to prevent it. The United Nations itself cannot intervene to stop civil strife, unless it concludes that such strife threatens international peace and security or violates an internationally recognized cease-fire line.

Mr. MORSE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 167 Leg.]

Aiken	Gore	Morse
Allott	Hickenlooper	Mundt
Anderson	Holland	Muskie
Bartlett	Hruska	Nelson
Beall	Humphrey	Neuberger
Bennett	Inouye	Pastore
Boggs	Jackson	Pell
Brewster	Johnston	Prouty
Carlson	Jordan, Idaho	Proxmire
Case	Kuchel	Ribicoff
Church	Magnuson	Saltonstall
Cotton	Mansfield	Smith
Curtis	McCarthy	Stennis
Dirksen	McGee	Tower
Dodd	McGovern	Walters
Douglas	McNamara	Williams, Del.
Ellender	Metcalf	Young, N. Dak.
Fong	Monroney	Young, Ohio

The PRESIDING OFFICER (Mr. MUSKIE in the chair). A quorum is present.

CIVIL RIGHTS ACT OF 1963

The Senate resumed the consideration of the bill (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

The PRESIDING OFFICER. The pending question is on agreeing to the modified amendment offered by the Senator from Montana [Mr. MANSFIELD], on behalf of himself and the Senator from Illinois [Mr. DIRKSEN], as a substitute for the amendment relative to jury trials, offered by the junior Senator from Georgia [Mr. TALMADGE], on behalf of himself and other Senators.

During the delivery of Mr. MORSE's speech on South Vietnam,

Mr. DIRKSEN. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield to the distinguished minority leader with the understanding that the interruption will appear elsewhere in the RECORD, and without losing my rights to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, in introducing the Mansfield-Dirksen amendment this morning, there was a technical mistake made as to line and page. In order to make it an exact substitute, I ask unanimous consent that it be corrected in that respect.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendment as modified was ordered to be printed as follows:

AN AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR THE AMENDMENT NO. 513 OF MR. TALMADGE

In lieu of the language of the amendment substitute the following:

"SEC. 1101. CRIMINAL CONTEMPT PROCEEDINGS; PENALTIES; TRIAL BY JURY.—In all cases of criminal contempt arising under the provisions of this Act, the accused, upon conviction, shall be punished by fine or imprisonment or both: *Provided however,* That in case the accused is a natural person the fine to be paid shall not exceed the sum of $1,000, nor shall imprisonment exceed the term of six months: *Provided further,* That in any such proceeding for criminal contempt, at the discretion of the judge, the accused may be tried with or without a jury: *Provided further, however,* That in the event such proceeding for criminal contempt be tried before a judge without a jury the aggregate fine shall not exceed the sum of $300 nor any cumulative imprisonment exceed 30 days. If the trial is by a jury, the procedure shall conform as near as may be to that in other criminal cases.

"SEC. 1102. Section 151 of the Civil Rights Act of 1957 (41 Stat. 638) is amended by striking out the third proviso to the first paragraph thereof, and inserting in lieu thereof the following:

"'*Provided further, however,* That in the event such proceeding for criminal contempt be tried before a judge without a jury the aggregate fine shall not exceed the sum of $300 nor any cumulative imprisonment exceed 30 days. If the trial is by a jury, the procedure shall conform as near as may be to that in other criminal cases.'"

Mr. DIRKSEN. Mr. President, on this question, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, the trial by jury concept is a cherished and revered institutional process in our society. Its history and heritage, recently reviewed in this Chamber, are well known to all. Equally cherished and revered, equally adorned by the vine of history and heritage, equally essential to any civilized society, is the power of the judiciary to resolve in a full and complete fashion the disputes of the litigants before it. The most severe and lethal attack on this mainmast of our society is the willful and contemptuous disobedience of the final order of the court. It is for this reason that willful and contemptuous acts of disobedience of court orders historically have been treated as attacks on the basic structure of the judiciary, and have been punished by the courts, without the assistance of a jury. It has always been considered one of the necessary incidents of the power of the courts to vindicate their own dignity, enforce their own orders, and protect themselves from insult in each case, without assistance. The cases on this power of the judiciary are legion, not only in the Federal Courts, but also in those of the several States. The Supreme Court has recently reviewed this history and this inherent power of the courts in United States against Barnett, decided but 2 weeks ago.

In facing this issue of the alleged conflict of these basic institutional processes of our jurisprudence, the proposed amendment of the distinguished minority leader and myself strikes a balance between these conflicting viewpoints, so that in cases arising under this act, when an order of the court has been willfully and contemptuously violated, the court will be able to fine such person up to $300 or imprison him for a period of up to 30 days, without a jury. The provisions of this amendment will extend to each and every title of this act under which a possible criminal contempt proceeding could arise. The Supreme Court in the recent Barnett case intimated that some upper limit should be established on the power to try a criminal contempt without a jury. It is for this reason that the upper limit of 30 days—$300—is extended to all titles of the bill, thus modifying the bill itself in this regard. It will, in addition, amend the existing law embodied in the Civil Rights Act of 1957, which provided a 45-day $300 limitation on the court in any criminal contempt arising out of voting cases.

I urge that the provisions of this proposed amendment be adopted by a vote in the not too distant future.

DALLAS AND THE STATE OF TEXAS

Mr. TOWER. Mr. President, I have received a copy of a letter from Mr. Robert D. Moore, of 3511 Eighth Avenue South, in Great Falls, Mont., that was addressed to the editor of the Dallas Morning News. I believe it carries a message that should be read by the Members of this Senate, as well as editors across our land. For that reason I shall ask to place it in the CONGRESSIONAL RECORD so that it too may become a part of history.

Mr. President, as Mr. Moore notes, the irresponsible attacks upon the city of Dallas and the State of Texas continue from many quarters. The reasons are quite obvious to all who are knowledgeable in the ways of politics. Dallas is generally a conservative city, and at the same time a growing, dynamic, progressive city. It seeks to solve its problems

BNA

Fair Employment Practices

SUMMARY OF LATEST DEVELOPMENTS

No. 24 January 20, 1966

Route to . . .

Pre-Employment Inquiries

EEOC views with "extreme disfavor" the asking of job applicants about their race, color, religion, or national origin, although Title VII of the Civil Rights Act doesn't expressly prohibit such inquiries.

In an interpretation of Title VII on pre-employment inquiries just released by EEOC Chairman Franklin D. Roosevelt, Jr., the Commission says that the asking of an applicant's race, religion, and the like are "totally irrelevant to his or her ability or qualifications as a prospective employee" except in those "infrequent instances where religion or national origin is a bona fide occupational qualification reasonably necessary for the performance of a particular job." The fact that such questions are asked, the Commission states, "may, unless otherwise explained, constitute evidence of discrimination, and will weigh significantly in the Commission's decision as to whether or not Title VII has been violated."

Full text of the interpretation will appear in the next issue of FEP.

Testing Qualms

Employment tests that may result in a widespread exclusion of Negroes from jobs have caused uneasiness at EEOC, triggering a Commission search into the problems involved. EEOC Executive Director Herman Edelsberg urges employers to take a hard look at the tests they are using. There is a "kind of mythology . . . a great unreality . . . a great irrelevance about testing," he suggests.

The Tower amendment to Title VII allows employers to "give and act upon the results of any professionally developed ability test, provided that such test, its administration, or action upon the results, is not designed, intended, or used to discriminate because of race, color, religion, sex, or national origin." The amendment was inspired by the Motorola case (see p. 451:329), in which an Illinois FEPC hearing examiner found that a preemployment test used by Motorola discriminated against the "culturally deprived."

Application of the amendment probably will have to be decided ultimately by the courts. Meanwhile, the Office of EEOC General Counsel Charles Duncan has the amendment under study. At the present time EEOC officials indicate they see no bar to the Commission's finding "reasonable cause" to believe a violation of Title VII has occurred if an employer is using an aptitude test as a means to discriminate against someone because of race or national origin.

EEOC's Research Director Charles B. Markham says his office has begun some preliminary research on testing. Material has been gathered on testing for study by Commission members and staff, with some help from the American Psychological Association.

There are tests that are used to study ability rather than reading skill. The Raven test, for example, may be given to illiterates, regardless of language or cultural background, to test judgment in observation. But a psychologist at the American Psychological Association says no test by itself can completely measure the potential of a culturally deprived person. The ability of the person giving the test is important, he stresses.

EEOC's Liaison Office, headed by Ben D. Segal, has let a $165,000 contract to Wayne State University to conduct research nationally on patterns of discrimination in employment. Wayne State has sublet a share of the contract to the California FEPC to make a study of testing.

Segal cites a case involving an oil refinery and a union that found Negroes were being excluded by a test, so they changed the test and found some qualified Negroes. The Negroes were hired and are working out satisfactorily. Some companies, however, are eliminating tests entirely and depending on interviews and on-the-job trial periods in selecting employees.

Segal says that employers must make "a self-conscious effort to hire more minority people."

Help in Handling Complaints

EEOC borrows 25 investigators from other federal agencies to help handle nearly 3,500 complaints charging violation of Title VII. Most of them journeyed to North Carolina early this week to begin investigating more than 400 charges of employment discrimination.

Last week, the new investigators attended a two-day training session where they were given a comprehensive review of the agency's experience during its first six months of operation. All five EEOC commissioners and some of the agency's administrative officials participated in the training sessions.

Meanwhile, EEOC Chairman Franklin D. Roosevelt, Jr. , announces a new action program designed to expand equal employment opportunities and to train persons to qualify for jobs. The Manpower Administration of the Department of Labor has assigned Neil McArthur, a manpower developer, to work with the Commission on this project.

According to Roosevelt, McArthur will lend expert advice to employers and unions seeking to develop training programs under the Manpower Development & Training Act. He will work with employers on clearances with appropriate federal and state agencies.

Reporting Form

Although the proposed EEOC reporting form has gone to the printers, Commissioner Aileen Hernandez indicates that changes will be made in the form as originally proposed in response to suggestions received at a hearing on the form. (See FEP Summary No. 22.)

Addressing the National Retail Merchants Association, Commissioner Hernandez says the Commission has adopted a number of their proposals. For example, the requirement that multi-unit firms file separate reports for each individual store with 50 or more on its payroll has been changed to call for only one report for all stores within a standard metropolitan statistical area. EEOC has gone one step

further, and will require only one consolidated report for stores outside the statistical area. Here, the firms will list the names and locations of individual stores as an attachment to the reporting form.

In addition, the new form will not request data on seasonal work applications and will require only a six-month retention of data, instead of the 12 months originally proposed.

One rejected suggestion asked that employers not be required to list all agreements with labor unions where there are formal or informal hiring-hall arrangements. EEOC is of the opinion that labor organizations cannot supply that information better than the employer.

Ultimately there will be only one federal reporting form on employment practices, Commissioner Hernandez predicts. She reports that the Commission is in the process of working with state groups, too, to produce a federal form that will satisfy their FEP reporting requirements.

Discrimination is not only a moral issue, Mrs. Hernandez explains, but also one of dollars and cents in lost buying power. We are paying a tremendous price in human suffering and financial loss for bad personnel practices, she remarks. She urges the retailers to move beyond the letter of the law to the spirit of it, and offers EEOC's assistance in an affirmative campaign to eliminate discrimination.

Experience under Title VII

Title VII of the Civil Rights Act has caused employers relatively little difficulty with job applicants, but many are experiencing or expecting difficulties in adjusting to the ban on sex discrimination. These are among the findings in a nation-wide survey conducted by the National Association of Manufacturers among 600 employers who attended Title VII seminars conducted by NAM prior to the effective date of the Title.

Here's a rundown of some of the findings:

▶ Over 45 percent of the companies have initiated positive action programs or have broadened and accelerated plans already in existence during the initial six months Title VII has been in effect. These range from revision of testing procedures to active cooperation with groups like the Urban League in seeking out qualified applicants from minority groups.

▶ Changes in hiring or promotion procedures have been undertaken by 34 percent of the companies as a result of Title VII.

▶ Cost increases as a result of Title VII are noted by a tenth of the companies. The most frequently mentioned added cost factor is an increase in the ratio of interviews to actual job placements. Where they had been operating on a five to one ratio, some companies noted, the ratio now is closer to 10 to one.

▶ Less than 4 percent report having difficulties with job applicants that could be traced to Title VII requirements. Fears that civil-rights groups would deliberately provoke incidents seem groundless at least to this point, NAM says.

▶ Nearly four in five companies do not anticipate trouble in living with Title VII. Even in the South, nearly 70 percent expect to be able to comply without too much trouble. Larger companies (over 500 employees) tend to be somewhat more concerned, perhaps because they consider themselves more likely to become targets of protest by crusading minority action groups.

▶ About 23 percent of the respondents said they have either experienced difficulties under the sex dis-

crimination provisions of Title VII or they expect them. Problems cited include changed requirements in help-wanted advertising, adjustments in group-insurance programs, introduction of women into previously all-male departments (and vice versa), training and retraining, fringe-benefit adjustments, and the like.

Statistical Suspicion

"Pure statistical evidence" or "statistical suspicion" may be enough to prompt a member of the EEOC to file a charge under Title VII against an employer, according to Herman Edelsberg, Executive Director of the Commission. This sort of suspicion might arise, he explains, if it were learned that an employer with a major plant in an area containing a sizable proportion of Mexican-Americans had no employees of Mexican-American origin.

Speaking to the Washington Society of Association Executives, Edelsberg says that although there is a "vast reservoir" of good will in business, labor, and the general community with respect to equal opportunity, the EEOC is asking Congress for the power to issue cease and desist orders and the extension of Title VII coverage to employers of eight or more.

Extension of coverage is sought, he says, because one of the greatest areas of employment growth expected in the coming decade is in the service industry, which is characteristically made up of employers with relatively few employees.

As for complaints of discrimination against unions in the construction industry, Edelsberg says: "We treat a complaint against a construction union the same as one against an employer." Complaints against building trades unions have "more symbol than substance," he observes, because the industry is not one of rapid employment growth.

Edelsberg urges the association executives to inform their members about the federally sponsored training programs offered to industry. Many Negroes are not even in the job-hunting market, being part of a "dispossessed, submerged class." But many can be reached and trained, he says.

The "best single thing to be done is to give Negroes jobs." The EEOC's affirmative action program, developed by its Technical Assistance Office, will dwell mainly on "persuading the laggards" in business to follow the leaders who are giving jobs to Negroes, Edelsberg says.

News Notes

► White and Negro Musicians locals in Chicago officially merge. Former Musicians' President James C. Petrillo is working toward integration of locals in 22 other cities.

► Identical bills to amend Title VII to bar job discrimination based on age are introduced by Congressmen Price (D., Ill.) and Roncalio (D., Wyo.)

► Chamber of Commerce of the U.S. is working out arrangements with local chambers and EEOC for a series of meetings on EEOC rules and regulations. Meetings start January 31 in New Orleans. Others will be February 1, 2, and 3 in Memphis, Atlanta, and Charlotte, N. C.

► Wisconsin Commission drops a proposed rule barring listing of help-wanted ads in "male " and "female" columns.

► Six male employees of the American Tobacco Co. file charges of sex discrimination under Title VII, claiming women have been assigned to machines they ran and that they have been relegated to lower-paying jobs.

April 30, 1963

Dear Harold:

Just a quick note to give you some idea about Saturday. I met Taylor and we talke for an hour or so. My guess is that his real reason for being in Milwaukee was to help drum up support for Johnson's J-J Dinner appearnace there on Saturday. We did not get very farinto each other partly because I early made it clear that I was not immediately available and that it would be sometime before I could even consider anything even if it were of special interest.

What he says he is looking for is of interest considering your comments to me by phone the other day. He has asked for and been given(as I understood it) a new position: research director. He recognizes that most of his staff is fully occupied with the organizations routine, that he is not a race relations type by training, and that he is not putting in much reflective time. He says (I'll go to single space) that he doesn't want the research person to just organize the statisites, but that he wants some one to look at the data analytically, and more importantly — imaginatively, to come up with concepts that will hopefully be operative and bring much more meaning out of the operation. He has an "academic advisory" committee, or some such, which evidently feels this is a good move. At least one of these guys knows me through labor education, Ron ~~Heston~~ Haughton, but not well. However, he suggested that Taylor be in touch with me.

This is what the man said. I'm sure his interests were really with the other problem. However, I felt that he had made some analysis of his situation or had accepted someone else's, and was fishing for a solution. At the present time he does not see the researcher as having a staff under him. He is after an idea man, but one in touch with facts, especially the facts that flow into the committee. He wants this guy to be free from phones, conference arrangements, etc.

I would be surprised if had checked me out. He said that he had and had great reports. He seemed surprised to find I had "come from" Atlanta. We did not even get into such obvious items as SRC, J. Hope, etc. I would hate to judge his seriousness or how he would really proceed in making such a staff function operational. It was a pleasant time. I will probably look him up when I come to Wahs

to Washington.

I would be interested, then, or sometime in hearing whether you think such a shoring up of his operation would stand to help. I would certainly think that I would be in a position to pass a suggestion along, if there is an appropriate person who should get into such a situation.

For several reasons I would not like my meeting with him or this report bandied about.

Please overlook the usuals when I sit down to the typewritter, especially without any refining process.

Sincerely,

Emory F. Via

I would be interested in who else is on his "academic Advisory" group. He mentioined besides ~~Horton~~ Newton, Bill Forsyth and Long neither of whom do I know.

I did indicate to him that I would be interested in cooperating in any way that seemed feasible and indicated my willingness to be called upon.

So now you know as much as I do, and about my business, yet.

Regrds to all.

FEP – Fed. Govt.

Employment of Negroes in the Federal Government

THE CIVILIAN WORK FORCE of the Federal Government increased by 3.3 percent from June 1961 to June 1964, as the number of Negroes in that work force increased by 5.9 percent. This increase of 16,911 raised the total of Negro employees to 299,527, or 13.2 percent of all Federal workers.

Negroes were almost equally distributed among the Government's three major pay systems, but made up a larger proportion of the work force under the Wage Board and Postal Field Service pay systems than under the Classification Act. Within each pay system, Negroes were employed predominantly in lower paid jobs. However, the proportion of Negroes employed, and their grade and salary levels, varied substantially by agency and location. These and other findings of the 1964 Minority Group Study are discussed in this article.[1]

[1] The study, the fourth in an annual series conducted by the President's Committee on Equal Employment Opportunity, is based on tabulations prepared for PCEEO by the U.S. Civil Service Commission. The study covered all Federal executive departments and agencies (except the National Security Agency and the Central Intelligence Agency), the General Accounting Office, and the Government Printing Office. Alaska, Hawaii, and Puerto Rico were excluded; however, U.S. citizens employed overseas were included.

Although not discussed in this report, the study provides separate information on the employment of other minority groups (American Indians, Mexican Americans, Orientals, and Puerto Ricans) in selected areas.

Employment in June 1964

Negroes made up a larger proportion of the Federal Government's work force in June 1964 (13.2 percent) than they did of the Nation's population or of its civilian nonagricultural employed labor force (approximately 10 percent each).[2] This difference largely reflects the Government's hiring policy which has motivated large numbers of Negroes to seek Federal employment. Another factor contributing to this difference is the disproportionate concentration of Federal jobs in areas having a relatively large Negro population. The six metropolitan areas having the largest number of Federal jobs accounted for 28.2 percent of the total Federal employment in the United States and 50.8 percent of the Negroes (chart 1). As indicated in the following tabulation, the ratio of Negroes in the total nonagricultural civilian employed labor force was higher, for the six areas as a whole, than for the remainder of the country:

Metropolitan areas having largest number of Federal jobs	*Negroes in the nonagricultural civilian employed labor force, as a percent of the total, 1960*
United States, total	9.2
Six areas, total	11.4
Washington, D.C.	24.5
New York	11.5
Philadelphia	14.7
Chicago	11.9
San Francisco	7.1
Los Angeles	6.5
Remainder of United States	8.6

[2] Negroes made up 10.6 percent of the population and 9.2 percent of the civilian nonagricultural employed labor force in 1960. Although these proportions may have increased slightly by 1964, it seems certain that they have not approached 13 percent. See *Census of Population: 1960, Final State Reports, Detailed Characteristics*, Series PC(1)D (U.S. Bureau of the Census).

From the Monthly Labor Review, October 1965
Reprint No. 2480

UNITED STATES DEPARTMENT OF LABOR
BUREAU OF LABOR STATISTICS

By Pay Plan. In June 1964, approximately one-third of the Negroes in the civilian work force of the Federal Government were employed under each of the three major pay systems.[3] Negroes, however, accounted for a substantially smaller proportion of the Government's white-collar employees, whose pay is determined by the Classification Act, than of its blue-collar workers, whose pay is generally determined by Wage Board action or of the workers in the Postal Field Service. In each of the major pay systems, Negroes held a much larger proportion of the lower paid jobs than of those in the higher pay categories, as the following tabulation indicates:

Pay system and grade or salary group	*Negroes employed by the Federal Government, June 1964*	
	Number	*As percent of all Federal employees*
Classification Act (or similar pay plans)	102,697	9.3
GS-1 to GS-4	63,911	19.0
GS-5 to GS-8	28,304	9.1
GS-9 to GS-11	8,145	3.1
GS-12 to GS-18	2,337	1.1
Wage Board	102,918	19.3
Less than $4,500	33,486	47.2
$4,500 to $6,499	57,841	22.1
$6,500 to $7,999	10,967	6.9
$8,000 or more	624	1.5
Postal Field Service	90,078	15.5
PFS 1 to PFS 4 [1]	83,650	16.8
PFS 5 to PFS 8	6,165	9.1
PFS 9 to PFS 11	223	1.7
PFS 12 to PFS 20	40	1.1

[1] Includes Fourth Class Postmasters and Rural Carriers.

By Grade and Salary Level. In all three pay systems, the proportion of workers whose jobs were in the lower pay categories was greater among Negroes than among other employees. This pattern primarily reflects the concentration of Negro Federal employees in jobs requiring limited skills and responsibilities.[4] The following tabulation illustrates this occupational disparity:

Pay system and grade or salary group	*Percent distribution of Federal employees, June 1964*	
	Negroes	*All other*
Classification Act (or similar pay plan)	100.0	100.0
GS-1 to GS-4	62.2	27.1
GS-5 to GS-8	27.6	27.9
GS-9 to GS-11	7.9	24.9
GS-12 to GS-18	2.3	20.0
Wage Board	100.0	100.0
Less than $4,500	32.5	8.7
$4,500 to $6,499	56.2	47.4
$6,500 to $7,999	10.7	34.6
$8,000 or more	.6	9.3
Postal Field Service	100.0	100.0
PFS 1 to PFS 4 [1]	92.9	84.1
PFS 5 to PFS 8	6.8	12.6
PFS 9 to PFS 11	.2	2.6
PFS 12 to PFS 20	(2)	.7

[1] Includes Fourth Class Postmasters and Rural Carriers.

[2] Less than 0.05 percent.

NOTE: Because of rounding, sums of individual items may not equal 100.

About 3 of every 5 Negroes under the Classification Act were in the four lowest grades, where the bulk of clerical jobs are found. In contrast, less than 3 of every 10 other employees held these grades. Almost an equal proportion of Negro and other employees were in the middle range GS-5 through GS-8, which covers upper level clerical and entry level professional, technical, and administrative jobs. Only about 10 percent of the Negroes, compared with nearly 45 percent of all other employees, were in jobs classified GS-9 or above.

The Wage Board system also displayed a similar gap. Almost 1 of every 3 Negro workers earned less than $4,500 per year, compared with only 1

[3] These 3 major pay systems accounted for all but 2.1 percent of the total and 1.3 percent of the Negro full-time civilian employees in the 1964 Minority Group Study.

[4] Information on job content is not available in the Minority Group Study. However, Federal pay levels generally correspond to the degree of skill and nature of responsibility involved in the performance of Federal jobs. For this reason, the grade and salary level distribution of Federal employees may be considered a guide to their relative occupational status within each of the Government's pay systems.

of every 12 other employees. Again, while only 11.3 percent of the Negroes held jobs paying $6,500 or more a year, 43.9 percent of all other Wage Board workers were so employed.[5]

By Agency. In June 1964, almost all the 2.3 million workers included in the Minority Group Study were employed in the 19 Federal departments and agencies shown in table 1. The three largest agencies—Department of Defense, Post Office Department, and Veterans Administration—accounted for almost three-fourths of the total (73 percent), and for slightly more than the same proportion of Negro employees (77.3 percent).

Negro employment ratios varied widely among Federal agencies. These wide variations reflect to some extent differences in the location and occupational staffing requirements of the agencies. For example, the Government Printing Office, with a large proportion of Negroes among its employees, was almost entirely concentrated in Washington, D.C., where Negroes represent almost one-fourth of the civilian nonagricultural labor force. The Department of Agriculture, an agency with a much smaller proportion of Negroes, had employees widely scattered throughout the Nation in many areas with a relatively small Negro work force.

The proportions of employees working under the different pay systems—and in the various grade and salary levels within those systems—may indicate differences in the occupational structure of the agencies and in agency requirements for professional, clerical, and other skills, which in turn may influence the proportion of Negroes employed. The following tabulation shows the percentages in five agencies:

	GPO	*VA*	*HEW*	*FAA*	*NASA*
Percent of all employees—					
Working under—					
Classification Act	18.1	74.9	85.2	92.9	77.5
Wage Board	77.7	23.2	8.1	7.0	20.9
In lowest pay category of—					
Classification Act (GS 1–4)	59.2	47.0	37.1	6.8	15.1
Wage Board (less than $4,500)	32.3	53.3	44.2	3.7	4.8
Negro employees as a percent of all employees in agency	39.8	24.2	19.7	2.9	2.9

[5] The relative pay level of Wage Board employees may not indicate corresponding differences in job characteristics, since wage rates are set in line with prevailing rates for similar jobs in local areas, and thus employees in the same job classification may fall into different pay categories depending upon the geographic area in which they work. Nonetheless, within the overall pay system, there is a general relationship between broad skill requirements and levels of pay.

Chart 1. Proportion of Federal Employees Located in Six Metropolitan Areas Having Largest Number of Federal Jobs, June 1964

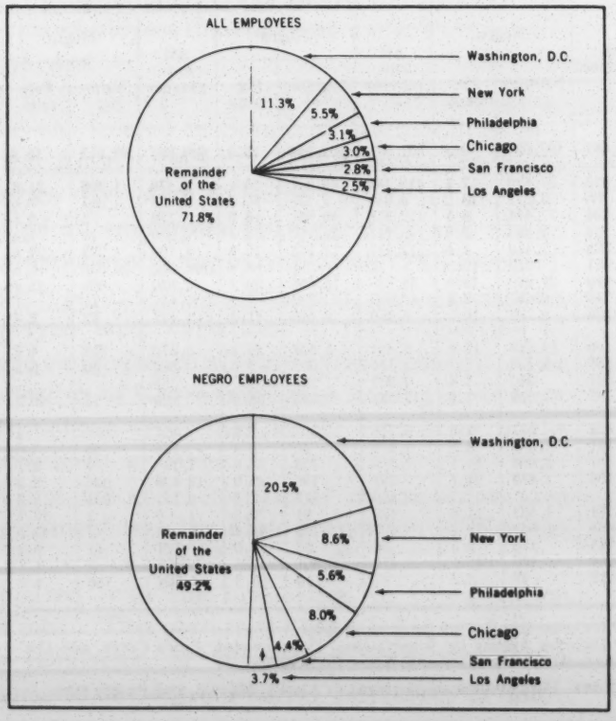
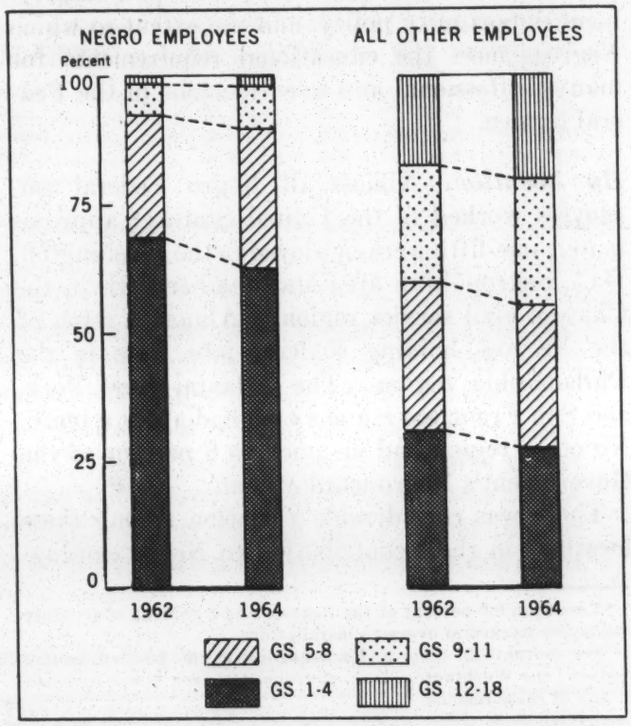


Chart 2. Percent Distribution of Classification Act Employees by Grade Level, June 1962 and June 1964



Other factors contribute to agency variations in Negro employment. These include differences in the growth of the agencies, the degree of implementation of the Government's equal employment opportunity policy, and the extent to which Negroes meet the educational requirements for many professional and scientific jobs in the Federal service.

By Location. Almost all Negro Federal employees worked in the United States;[6] approximately one-fifth were employed in the Washington, D.C., metropolitan area and another fifth in the Chicago civil service region.[7] Almost a sixth of the Negroes holding Federal jobs were in the Philadelphia region. The Atlanta, New York, and San Francisco regions each had about a tenth. No other region had as much as 6 percent of the Government's Negro employment.

There was considerable variation among these locations in their contribution to Negro employment in the three pay systems. As illustrated in the following tabulation, the Washington area accounted for a third of the Negroes in the Classification Act, compared with a fifth of the Negro Wage Board employees and less than a tenth of those in the Postal Field Service. These proportions were notably higher than those for all employees, among whom 18 percent of Classification Act employees, 7 percent of Wage Board employees, and 2 percent of those in the Postal Field Service were in the Washington area.

Location of employment of Negroes employed by the Federal Government, by pay system, in selected locations, June 1964

Selected civil service regions	*All pay plans* [1]	*Classification Act (or similar pay plan)*	*Wage Board*	*Postal Field Service*
United States, total [2]	100.0	100.0	100.0	100.0
Washington, D.C., metropolitan area	20.5	33.5	19.7	6.8
Atlanta	10.3	4.5	18.7	7.0
Chicago	19.1	18.3	9.3	32.2
New York	11.4	10.1	6.8	18.6
Philadelphia	15.6	14.3	20.0	11.6
San Francisco	10.6	8.1	12.9	11.1

[1] Includes data for Federal pay plans in addition to those shown separately.
[2] Includes data for civil service regions in addition to those shown separately; excludes Alaska and Hawaii.

[6] Less than 0.5 percent of the Negroes and 2 percent of all other employees worked in overseas installations.

[7] See footnote 2, table 2, for definition of the 10 civil service regions; the Washington, D.C., metropolitan area is not included in any of these regions.

TABLE 1. TOTAL AND NEGRO EMPLOYMENT IN THE FEDERAL GOVERNMENT,[1] BY PAY PLAN, JUNE 1964

Selected agencies	All pay plans			Classification Act (or similar pay plans)			Wage Board			Other pay plans (including Postal Field Service [2])		
	All employees	Negro		All employees	Negro		All employees	Negro		All employees	Negro	
		Number	Percent		Number	Percent		Number	Percent		Number	Percent
All agencies [3]	2,271,599	299,527	13.2	1,109,647	102,697	9.3	531,971	102,918	19.3	629,981	93,912	14.9
Department of Defense	923,838	105,039	11.4	509,475	37,810	7.4	410,185	65,921	16.1	4,178	1,308	31.3
Office of the Secretary of Defense	33,329	6,372	19.1	24,703	3,221	13.0	6,954	2,138	30.7	1,672	1,013	60.6
Army	322,043	37,320	11.6	204,494	17,454	8.5	117,373	19,861	16.9	176	5	2.8
Navy	302,424	41,459	13.7	127,453	9,695	7.6	173,741	31,747	18.3	1,230	17	1.4
Air Force	266,042	19,888	7.5	152,825	7,440	4.9	112,117	12,175	10.9	1,100	273	24.8
Post Office Department	584,560	90,312	15.4	1,611	213	13.2	37	21	56.8	582,902	90,078	15.5
Veterans Administration	149,551	36,242	24.2	111,986	21,970	19.6	34,735	13,666	39.3	2,830	606	21.4
Department of Agriculture	91,457	3,057	3.3	79,716	2,287	2.9	10,069	759	7.5	1,672	11	.7
Department of the Treasury	85,054	10,903	12.8	77,228	8,231	10.7	6,389	2,640	41.3	1,437	32	2.2
Department of Health, Education, and Welfare	80,047	15,765	19.7	68,186	12,013	17.6	6,491	3,524	54.3	5,370	228	4.2
Department of the Interior	62,557	2,281	3.6	48,855	1,325	2.7	13,136	926	7.0	566	30	5.3
Federal Aviation Agency	41,904	11,225	2.9	38,941	940	2.4	2,932	285	9.7	31	------	------
General Services Administration	34,347	12,259	35.7	16,787	2,939	17.5	17,531	9,295	53.0	29	25	86.2
National Aeronautics and Space Administration	32,299	931	2.9	25,024	571	2.3	6,748	358	5.3	527	2	.4
Department of Justice	31,855	1,486	4.7	29,591	1,336	4.5	1,476	95	6.4	788	55	7.0
Department of Commerce	29,981	3,867	12.9	26,567	3,054	11.5	2,258	759	33.6	1,156	54	4.7
Department of State [4]	21,486	2,341	10.9	7,663	1,849	24.1	397	186	46.9	13,426	306	2.3
Tennessee Valley Authority	17,177	1,138	6.6	------	------	------	10,426	777	7.5	6,751	361	5.3
Housing and Home Finance Agency	13,429	1,674	12.5	13,294	1,582	11.9	129	91	70.5	6	1	16.7
Department of Labor	8,805	1,740	19.8	8,688	1,648	19.0	101	85	84.2	16	7	43.8
Atomic Energy Commission	7,172	209	2.9	6,945	176	2.5	50	22	44.0	177	11	6.2
Government Printing Office	6,965	2,772	39.8	1,264	466	36.9	5,410	2,301	42.5	291	5	1.7
Selective Service System	5,123	250	4.9	912	47	5.2	17	15	88.2	4,194	188	4.5

[1] Includes full-time employees in all executive departments and agencies (except the National Security Council and the Central Intelligence Agency), the General Accounting Office, and the Government Printing Office. Agencies with 5,000 employees or more in June 1964 are listed separately. Agencies not listed separately employed 11,644 (0.5 percent of all employees).
[2] The Post Office Department is the only agency using the Postal Field Service pay plan.
[3] Includes agencies not listed separately.
[4] Includes Agency for International Development, Peace Corps, and the International Boundary and Water Commission.

NOTE: Data exclude employment in Alaska, Hawaii, and Puerto Rico.

As indicated in table 2, the proportion of Negro employees to all Federal employees varied widely among the different sections of the country, ranging from nearly a fourth in the Washington metropolitan area to less than 5 percent in the Boston, Denver, and Seattle civil service regions. These variations were due largely to regional differences in the proportions of Negroes in the labor force. In most of the regions, the proportion (of Negro employees to all employees) in the Federal Government was greater than the proportion of Negroes in the nonagricultural civilian labor force. As indicated below, however, this relationship did not hold in the Atlanta and Dallas regions:

Civil service region	Percent of Negroes— Among Federal employees, June 1964	Percent of Negroes— In the nonagricultural civilian labor force, 1960
United States	13.4	9.2
Washington, D.C., metropolitan area	24.3	24.5
Atlanta	11.1	21.6
Boston	3.4	2.1
Chicago	18.8	7.3
Dallas	8.5	14.3
Denver	2.9	1.9
New York	15.0	8.5
Philadelphia	17.7	10.5
St. Louis	7.7	4.6
San Francisco	12.6	5.1
Seattle	2.3	1.0

In Washington, D.C., and in each of the civil service regions, Negroes accounted for a much larger proportion of Wage Board and Postal Field Service employees than of those under the Classification Act.

A substantial part of the 1964 Federal employment was located in Standard Metropolitan Statistical Areas (SMSA). The 41 areas for which separate data were collected[8] accounted for one-half of all employees (49.9 percent) and almost four-fifths of the Negro employees (78.0 percent).

Metropolitan areas, like civil service regions, displayed wide variations in the proportion of Negro employees to all employees (table 2). The proportion of Negro employees was higher in most metropolitan areas than in the regions or in the Government at large.

A notable characteristic of metropolitan area employment was the high proportion of Negroes in Wage Board and Postal Field Service jobs, compared with the proportion in Classification Act jobs. This pattern is illustrated in the following tabulation of 10 metropolitan areas, each having 5,000 Negro Federal employees or more. Together, these areas accounted for 32.2 percent of the total employment, and 60 percent of the Negro employment, included in the study.

SMSA's with 5,000 Negro Federal employees or more	Negro employees as a percent of all employees, June 1964: All pay plans	Classification Act	Wage Board	Postal Field Service
Baltimore	25.6	17.2	46.0	35.1
Chicago	35.7	22.1	37.3	48.5
Cleveland	28.5	17.9	24.6	42.7
Detroit	29.6	24.5	35.7	34.7
Los Angeles	19.7	13.7	26.1	23.3
New York	20.7	17.0	23.2	22.7
Norfolk	25.7	6.9	33.5	42.3
Philadelphia	24.1	19.3	25.0	30.5
San Francisco	21.4	12.7	28.7	28.8
Washington, D.C.	24.3	17.5	55.5	52.5

In each of these areas, except New York, Negroes held one-fourth or more of all Wage Board jobs, and one-fifth or more of all those in the Postal Feld Service. But Negroes held less than one-fifth of all Classification Act jobs in each area except Chicago and Detroit. In each of the areas except Norfolk, however, Negroes held a higher proportion of Classification Act jobs than they did in the total survey.

Trends in Negro Employment

During the 3-year period, there was a slight change in the distribution of employees among the three pay systems. The proportion of employees under the Wage Board system declined, largely as a result of Defense Department economies, while increased requirements for professional and technical personnel in many Federal agencies raised the proportion of all employees working under the Classification Act. The employment of Negroes followed this general pattern as indicated in the following tabulation:

	Percent distribution by pay plan: All employees 1961	All employees 1964	Negro employees 1961	Negro employees 1964
All pay plans [1]	100.0	100.0	100.0	100.0
Classification Act (or similar pay plan)	46.1	48.9	31.8	34.3
Wage Board	25.9	23.4	37.8	34.3
Postal Field Service	25.5	25.6	29.4	30.3

[1] Includes data for pay plans in addition to those shown separately.

An examination of changes in grade and salary levels shows the relative progress of Negroes in the Federal Government, compared with other Federal employees.[9] As the Government's require-

[8] Data for 29 of these 41 SMSA's are provided in table 2.

[9] This comparison is limited to the Classification Act and Postal Field Service pay systems. Because of changes in the reporting system between 1961 and 1962, comparisons are limited to the years 1962 and 1964.

TABLE 2. TOTAL AND NEGRO EMPLOYMENT IN THE FEDERAL GOVERNMENT,[1] BY SELECTED PAY PLANS IN CIVIL SERVICE REGIONS[2] AND IN SELECTED STANDARD METROPOLITAN STATISTICAL AREAS[3] WITHIN THOSE REGIONS, JUNE 1964

Region and area	All pay plans[4]			Classification Act (or similar pay plans)			Wage Board			Postal Field Service		
	All employees	Negro		All employees	Negro		All employees	Negro		All employees	Negro	
		Number	Percent		Number	Percent		Number	Percent		Number	Percent
Total Federal employment[5]	2,271,599	299,527	13.2	1,109,647	102,697	9.3	531,971	102,918	19.3	597,544	90,871	15.2
All regions	2,230,261	298,073	13.4	1,089,751	102,233	9.4	525,237	102,780	19.6	582,836	90,019	15.4
Atlanta Region	278,268	30,762	11.1	124,179	4,637	3.7	83,715	19,270	23.0	61,482	6,262	10.2
Atlanta	20,586	3,021	14.7	12,849	524	4.1	3,020	1,108	36.7	4,449	1,386	31.2
Charleston	11,472	1,886	16.4	4,041	75	1.9	6,973	1,717	24.6	439	94	21.4
Huntsville	17,743	414	2.3	13,619	145	1.1	3,591	259	7.2	365	8	2.2
Macon	16,266	1,773	10.9	7,320	117	1.6	8,561	1,577	18.4	344	74	21.5
Mobile	14,769	2,041	13.8	6,947	255	3.7	7,196	1,575	21.9	599	211	35.2
Boston Region	109,719	3,763	3.4	39,369	1,171	3.0	28,944	1,169	4.0	40,476	1,407	3.5
Boston	43,882	1,895	4.3	18,126	684	3.8	11,342	565	5.0	13,995	638	4.6
Chicago Region	304,338	57,099	18.8	130,280	18,664	14.3	47,486	9,519	20.0	123,434	28,642	23.2
Chicago	66,559	23,764	35.7	28,682	6,345	22.1	7,126	2,660	37.3	30,165	14,622	48.5
Cincinnati	10,854	2,228	20.5	4,915	607	12.3	576	244	42.4	5,127	1,371	26.7
Cleveland	19,898	5,666	28.5	9,322	1,672	17.9	2,550	627	24.6	7,812	3,339	42.7
Detroit	25,369	7,513	29.6	12,283	3,006	24.5	2,236	799	35.7	10,631	3,689	34.7
Indianapolis	14,463	3,806	26.3	8,405	1,896	22.6	2,548	596	23.4	3,434	1,304	38.0
Dallas Region	198,536	16,839	8.5	98,185	3,852	3.9	55,146	7,812	14.2	43,328	5,020	11.6
Dallas	10,115	1,073	10.6	5,492	222	4.0	654	260	39.8	3,802	580	15.3
Houston	11,892	2,775	23.3	6,584	556	8.4	1,080	448	41.5	4,083	1,742	42.7
New Orleans	11,567	2,580	22.3	7,102	522	7.4	1,758	752	42.8	2,409	1,255	52.1
San Antonio	30,957	2,148	6.9	15,299	527	3.4	13,967	1,459	10.4	1,633	161	9.9
Denver Region	116,762	3,436	2.9	67,231	1,600	2.4	32,910	1,202	3.7	15,345	616	4.0
Denver	21,531	1,879	8.7	14,441	844	5.8	3,177	543	17.1	3,763	488	13.0
New York Region	227,146	33,965	15.0	85,758	10,299	12.0	40,122	6,946	17.3	99,533	16,527	16.6
Newark	18,702	2,773	14.8	9,428	1,118	11.9	3,102	442	14.2	6,067	1,187	19.6
New York	123,148	25,529	20.7	42,109	7,154	17.0	19,504	4,526	23.2	60,427	13,714	22.7
Philadelphia Region	262,750	46,611	17.7	125,717	14,616	11.6	77,183	20,569	26.6	56,264	10,330	18.4
Baltimore	29,116	7,465	25.6	17,938	3,092	17.2	5,497	2,527	46.0	5,221	1,835	35.1
Philadelphia	69,693	16,792	24.1	35,525	6,850	19.3	17,555	4,395	25.0	14,781	4,512	30.5
Pittsburgh	16,113	2,549	15.8	5,609	671	12.0	1,442	379	26.3	8,912	1,480	16.6
Newport News	13,571	2,645	19.5	7,599	622	8.2	5,398	1,750	32.4	479	263	54.9
Norfolk-Portsmouth	29,793	7,661	25.7	8,890	609	6.9	19,159	6,411	33.5	1,509	639	42.3
St. Louis Region	142,404	11,015	7.7	65,577	4,275	6.5	15,861	1,956	12.3	59,702	4,758	8.0
Kansas City	16,841	2,818	16.7	9,703	879	9.1	971	335	34.5	6,016	1,602	26.6
St. Louis	27,990	5,621	20.1	16,000	2,395	15.0	3,785	1,025	27.1	8,019	2,184	27.2
San Francisco Region	250,832	31,577	12.6	111,593	8,318	7.5	82,678	13,224	16.0	54,722	9,848	18.0
Los Angeles-Long Beach	56,019	11,039	19.7	23,113	3,178	13.7	8,350	2,178	26.1	24,037	5,601	23.3
San Francisco-Oakland	61,873	13,252	21.4	27,551	3,498	12.7	21,952	6,306	28.7	11,939	3,424	28.7
Seattle Region	88,317	2,012	2.3	45,476	593	1.3	24,668	838	3.4	17,040	569	3.3
Washington, D.C.	251,189	60,994	24.3	195,980	34,208	17.5	36,524	20,275	55.5	11,510	6,040	52.5

[1] See footnote 1, table 1.

[2] Civil service regions are defined as follows: *Atlanta*—Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Tennessee; *Boston*—Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont; *Chicago*—Illinois, Indiana, Kentucky, Michigan, Ohio, and Wisconsin; *Dallas*—Arkansas, Louisiana, Oklahoma, and Texas; *Denver*—Arizona, Colorado, New Mexico, Utah, and Wyoming; *New York*—New Jersey and New York; *Philadelphia*—Delaware, Maryland, except Montgomery and Prince Georges counties, Pennsylvania, Virginia, except Alexandria and Falls Church cities and Arlington and Fairfax counties, and West Virginia; *St. Louis*—Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota; *San Francisco*—California and Nevada; *Seattle*—Idaho, Montana, Oregon, and Washington.

[3] Standard Metropolitan Statistical Areas, as defined by the U.S. Bureau of the Budget in 1961.

[4] Includes 32,437 employees (of whom 3,041 or 9.4 percent were Negroes) under pay plans other than the Classification Act (or similar pay plans), Wage Board, and Postal Field Service.

[5] Includes Federal employment outside of the United States.

NOTE: Data exclude employment in Alaska, Hawaii, and Puerto Rico.

ments for relatively unskilled workers declined, there has been a notable shift of employment from the lower to the middle and upper grades of the Classification Act system.[10] This shift has been more pronounced for Negroes than for all other employees. In 1964, however, as shown in chart 2, more than three-fifths of the Negroes were still in the lower grades. A little more than a tenth of the jobs held by Negroes in 1964 were in grades 9 and above (an increase of 2.6 percent from 1962); close to half of all other employees were in these grades (an increase of 4.7 percent).

In the Postal Field Service, employment increased by 12,334 from 1962 to 1964. Negroes accounted for nearly two-thirds of this increase. Compared with the Classification Act employment, the distribution of Postal Field Service employment among the various grade level groupings remained about the same during the 2-year period.

—BERNARD E. ANDERSON

Office of Wages and Industrial Relations

[10] Grade level groupings are defined as follows: Lower (GS-1 to GS-4), middle (GS-5 to GS-11), and upper (GS-12 to GS-18).

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TITLE VII
of the
CIVIL RIGHTS ACT
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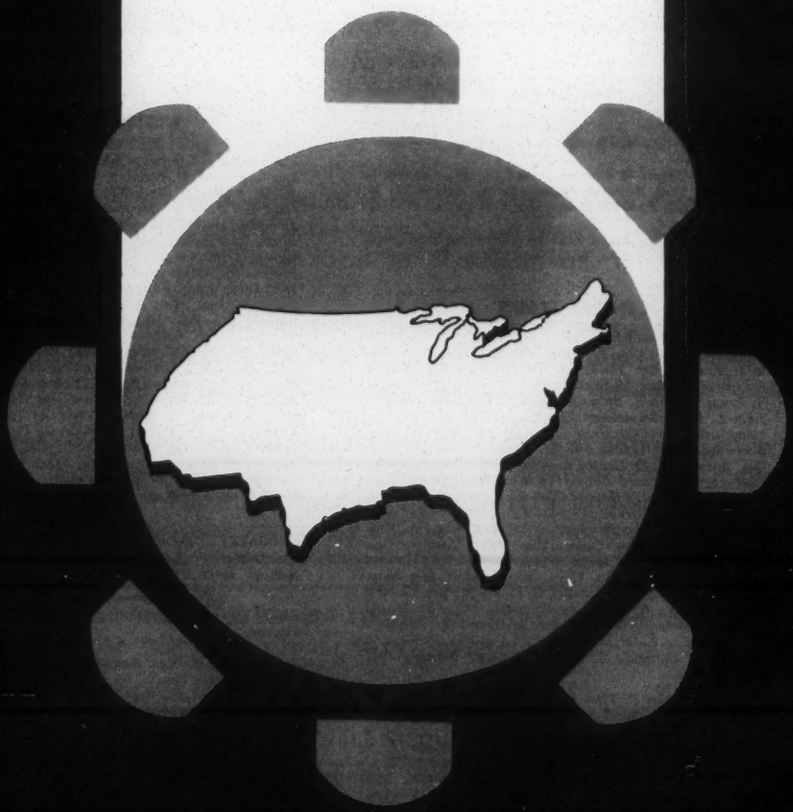

BNA

What Is The Personnel Policies Forum?

The Editors of The Bureau of National Affairs have invited representative personnel and industrial relations executives to become members of the 1965-66 Panel of the PERSONNEL POLICIES FORUM. These Panel members are top personnel officials in all types of companies, large and small, in all branches of industry and all sections of the country.

At regular intervals throughout the year BNA editors ask the members of the Panel to outline their policies and procedures on some important aspect of employment, industrial relations, and personnel problems. From these replies, the editors complete a survey report on the problem, showing prevailing practices, new wrinkles and ideas, and cross-section opinion from these top-ranking executives.

In many cases, the comments, suggestions, and discussions are reproduced in the words of the Panel members themselves. In effect, survey users are sitting around a table with these executives and getting their advice and experience on the major problems in this field facing all companies this year.

Results of each PERSONNEL POLICIES FORUM survey made during 1965-66 are printed in a special survey report which is sent, as part of the service, to users of these BNA labor reports:

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THE NEGRO & TITLE VII

CONTENTS

	Page
Introduction	1
Composition of the Work Force	2
Recruitment of Negroes	5
Selection & Placement of Negroes	10
Training & Development of Negroes	13

INTRODUCTION

Title VII of the Civil Rights Act of 1964 is now in effect. It's designed to insure equal employment opportunity to all persons regardless of race, color, religion, sex, or national origin. Its principal provisions for employers are those which make it unlawful to fail or refuse to hire, or to discharge or otherwise discriminate against, any individual with respect to compensation, terms, conditions, or privileges of employment because of race, color, religion, sex, or national origin.

Shortly before the effective date of the Civil Rights Act (July 2, 1965), the editors of BNA decided to send a questionnaire to personnel and industrial relations executives who make up BNA's Personnel Policies Forum to find out the practices in their companies regarding the recruitment, selection, placement, training, and development of but one of the minority groups, specifically, Negroes. The information that follows is based on replies received from 140 executives on the Forum. In the survey, first in the 1965 series, "larger" company refers to one with over 1,000 employees; "smaller" company, to one with 1,000 or fewer employees.

Negroes are employed on a full-time basis in practically all Forum companies. A much higher percentage of them, however, employ male Negroes than female Negroes; this is especially true in smaller companies, where over nine in 10 of them employ Negro males, and less than half employ female Negroes.

What types of jobs are being held by Negroes in Forum companies? They hold down blue-collar jobs in 94 percent of the companies, white-collar jobs in just over seven in 10 companies. A third of the companies have Negroes employed as foremen or first line supervisors and nearly the same percentage have them working in middle management or executive positions. Negroes are employed in scientific, professional, or technical positions in exactly two in five Forum companies.

The percentage of Negroes in the work force is less than many would expect. When asked what percentage of their companies' total work force is Negro, a sizable majority (58 percent) reported that it was 3.9 percent or less. Nearly three in 10 executives, however, reported the figure at 9 percent or more.

Has there been any increase in the number of Negroes in Forum companies since the passage of the Civil Rights Act? According to over three in five executives there hasn't been, but many who reported otherwise were quick to point out that the increase had nothing to do with the passage of the law.

Positive steps to recruit Negroes reportedly are being taken in nearly three fourths of Forum companies. The principal method used by these firms is contacting federal and state employment services for Negro help. The only other methods used by a majority of Forum companies are to seek referrals from Negro employees currently on the payroll and to advertise in newspapers or magazines with a high Negro circulation.

Less than a fourth of Forum companies have been approached by a civil-rights group to hire Negroes, and those that have report very "courteous" or "pleasant" meetings.

Other highlights of the survey include these:

(1) Nearly nine tenths of Panel members whose companies administer mental-ability tests don't agree that such tests are unfair to many Negroes--as has been claimed--because they are based on

cultural and educational levels that some Negroes have not encountered and thus underestimate the Negro's learning ability.

(2) The vast majority of Panel members stated that no special steps were being taken to demonstrate to a Negro job applicant--any more than any other job applicant--that he was refused employment simply because he wasn't capable of doing the job or because he lacked the necessary qualifications for doing the job.

(3) Very few companies have experienced problems in integrating Negroes into certain occupations.

(4) Just a handful of companies are making a special effort to encourage Negro employees to enroll in training and development programs.

> NOTE: The first questionnaire sent to Panel members in 1965 concerned the training of first-line supervisors and will be published shortly. Because of the importance of the Civil Rights Act to many executives, it was decided to publish this survey first.

COMPOSITION OF WORK FORCE

What percentage of Forum companies employ Negro workers? Male Negro workers? Female Negro workers? What types of jobs are held by Negroes in these companies? What percentage of the total work force is Negro? Has the number of Negro employees increased since the enactment of the Civil Rights Act? These and other questions were put to members of the Panel to find out the status of Negroes in these companies today. The data that follow summarize the responses.

Negroes Employed: Male & Female

Almost all Forum companies--98 percent of the larger and 92 percent of the smaller ones--employ Negroes on a full-time basis. From a sex standpoint, however, a much greater percentage of Forum companies employ male Negroes. Males of this minority group are full-time employees in 95 percent of the companies, females in 70 percent. However, while 83 percent of the larger companies have female Negroes on their payrolls, just 46 percent of the smaller ones do.

The following table gives a percentage breakdown, by sex, of the Forum companies that employ Negroes on a full-time basis:

Employment of Negroes by Sex

	All Cos.	Larger	Smaller
Employ Negroes	96%	98%	92%
Employ male & female Negroes	69	81	46
Employ male Negroes only	26	15	46
Employ female Negroes only	1	2	--
Do not employ Negroes	4	2	8

Most Panel members in those Forum companies that do not employ Negroes, either male or female, submitted reasons for their companies' practices. Here's what they had to say:

> We are located in Bryan, the county seat of Williams County, Ohio. No Negroes live in the county. The nonwhite minority group averages less than 1 percent of the population.--L.E. Bigler, Personnel Manager, The Aro Corporation, Bryan, Ohio.
>
> * * *
>
> Our work force is composed presently of all white employees. Over the past 20 years we have had only one colored male employee. This man retired six years ago because of age. Our community is all white with the exception of this one retired Negro employee. Over the past years we have had three job applications from Negroes, and they were not qualified to do the work we had to offer. --R.H. Tenley, Personnel Manager, Penberthy Manufacturing Co., Prophetstown, Ill.

One executive whose company doesn't employ Negroes replied that there were no Negro residents or workers in the community. He added, however, that the company recently published a statement of policy with reference to no discrimination because of race, color, religion, sex, or national origin, and that he believed that a "qualified Negro applicant, who met the company's hiring standards, including tests when applicable, would be accepted by the employees on the same basis as any other newly assigned employee."

Another executive whose company doesn't have a Negro on the payroll at the present time makes this comment:

> Our experience in hiring Negroes, though limited, has been good. For instance, F.A. was hired as an assembler learner, became a welding utility man, and then a drill press operator. He was with the company for two-and-a-half years, but was laid off because of lack of work. We tried to rehire him, but he was working elsewhere.
>
> T.M. came to work as a drill press operator and was promoted to a turret lathe operator. After four years with us, he entered the Navy. A good man in electronics. After his Navy discharge he applied for re-hire. I counseled him at great length, encouraging him to enter the electronics field. This he did and is doing well.
>
> J.P. was hired as a finish cleaner and rose to the top drill press classification in two years. He quit to accept a job in Washington, D.C. His problem--no social life in Bradford (Pa.) for him.
>
> These men were all good employees, but J.P. was tops. We have few Negroes in the community. The latest census shows 75 in McKean County.--Thom Williams, Manager of Personnel, Bovaird & Seyfang Manufacturing Co., Bradford, Pa.

Types of Jobs Held by Negroes

It's one thing to know what percentage of Forum companies employ Negroes, but we also wanted to find out what types of jobs are being held by Negroes in these companies. To this end, executives on the Panel whose companies employ Negroes were asked if members of this minority group were working (1) in blue-collar jobs; (2) in white-collar jobs; (3) as foremen or first-line supervisors; (4) in middle-management positions; (5) in executive positions; (6) in scientific, technical, or professional positions; (7) as salesmen; (8) as clerks in the employment office; and (9) as recruiters.

Replies from respondents whose companies employ Negroes showed that well over nine in 10 Forum companies (91 percent of the larger and all of the smaller ones) have Negroes in blue-collar jobs on their payrolls. In the white-collar field, however, the situation is quite different, especially in the smaller companies. To illustrate, just about the same percentage of larger companies that employ Negroes in blue-collar jobs have Negroes in white-collar jobs. In contrast, just 37 percent of the smaller Forum companies have Negroes working in white-collar positions.

Following is a table which gives a percentage breakdown of Forum companies that employ Negroes in blue-collar and white-collar jobs. It also shows the percentage of companies that employ Negroes as foremen or first-line supervisors, in middle-management positions, in executive positions, as salesmen, as clerks in the employment office, as recruiters, and in scientific, technical, or professional positions.

Types of Jobs Held by Negroes

	All Cos.	Larger	Smaller
Blue-collar	94%	91%	100%
White-collar	72	89	37
Foremen or first-line supervisors	33	44	13
Middle-management	22	28	9
Executive	8	11	3
Scientific, technical, or professional	40	47	25
Salesmen	18	25	3
Clerks in employment office	14	20	--
Recruiters	8	13	--

Percentage of Negroes in Work Force

A sizable majority of executives (58 percent), when asked what percentage of their company's total work force is Negro, replied that it was less than 4 percent. However, 27 percent (a fifth of those with larger companies and 39 percent of those with smaller ones) responded by saying that at least one in 10 of their company's employees is a Negro. Following is a breakdown of the percentage of Negroes in the work force as reported by Panel members:

Percentage of Negroes in Work Force

	All Cos.	Larger	Smaller
Less than 1 percent	7%	8%	6%
1.0 to 1.9 percent	16	18	13
2.0 to 2.9 percent	20	20	20
3.0 to 3.9 percent	15	16	13
4.0 to 4.9 percent	6	9	--
5.0 to 5.9 percent	7	9	3
6.0 to 6.9 percent	1	--	3
7.0 to 7.9 percent	--	--	--
8.0 to 8.9 percent	--	--	--
9.0 to 9.9 percent	1	--	3
10 percent	11	4	23
Over 10 percent	16	16	16

Of those executives who replied that the percentage of Negroes in their company is over 10 percent, two reported that it was 12 percent and two said 15 percent. Other percentages mentioned by executives were the following: 10 to 12, 11, 13, 14, 12-15, 16, 17, 18, 25, and 33 1/3.

Highest Job Held by a Negro

As a corollary to the last inquiry, executives on the Panel were asked to name the highest job held by a Negro in their company. For convenience, we have grouped the many job titles listed in the responses under a few broad categories. These, and the percentage of companies that report the employment of at least one Negro in each category, appear below. Job titles typical of each category also are shown.

Unskilled (13 percent--5 percent of the larger companies and 29 percent of the smaller ones)--Enamel sprayer; lead janitor; truck driver; comb tender; pre-press worker; mill operator; chemical operator.

Semi-Skilled (3 percent)--Rolling mill operator; machine operator.

Skilled (9 percent)--Machinist; tool and die maker; electrician; press operator; welder; color maker.

Clerical (11 percent)--General clerk; senior cashier; production control clerk; secretary; production control expediter; staff assistant; messenger-driver; shipper and receiver in charge; department clerk.

Sales (2 percent--3 percent of the larger companies, none of the smaller ones)--Sales clerk, salesman.

Professional (18 percent--21 percent of the larger companies, 13 percent of the smaller ones)--Engineer; design engineer; process engineer; chemist; senior editor; auditor; pilot; supervisory engineer; attorney; accountant; registered nurse; head nurse; scientist.

Technical (10 percent)--Engineering draftsman; drafting technician; inventory analyst; systems analyst; marketing coordinator; market researcher; lab technician; electronics technician.

Foreman and Assistant Foremen (13 percent--18 percent of the larger companies, 3 percent of the smaller ones).

Managerial (18 percent--21 percent of the larger companies, 13 percent of the smaller ones)--Assistant divisional manager; manager-research; industrial relations assistant; store manager;

laboratory director; executive; unit personnel administrator; research section head; assistant data servicing manager; plant supervisor; director of industrial relations; buyer; sales supervisor.

Management Trainees (2 percent--3 percent of the larger companies, no smaller ones).

Unclassified (5 percent) (Job duties not specified with sufficient clarity to permit classification)--group leader; "skilled machine operator."

Negro Employment Since the CRA

In order to find out what effect, if any, the Civil Rights Act had on Negro employment, Panel members were asked this question: "Since the enactment of the Civil Rights Act in 1964, has the number of Negro employees increased in your company?"

According to slightly more than three fifths of the executives, there hasn't been any increase in the employment of Negroes since the passage of the law. This reply was given by 54 percent of the executives with larger companies and 76 percent of those with smaller ones. All of the remaining executives reported that there are more Negroes on their payrolls, but a few of them were quick to point out that the increase had nothing to do with the new law. As one executive phrased it: "The increase is due to participation in Plans for Progress, and not legislation."

Those Panel members in Forum companies in which the number of Negroes had increased since the Civil Rights Act was passed further were asked to give the percentage increase. Here's a summary of their replies: Just under three in 10 of these executives answered that the increase was small, insignificant, minimal, or the like; a fifth reported the increase as 1 percent or less; 12 percent set the increase somewhere between 1.1 and 2.0 percent; 16 percent reported increases between 2.1 and 5.0 percent; while virtually all of the remaining executives reported the increase as over 5 percent. The executives in the last category gave these percentages: 8 to 10 percent, 10 percent, 20 percent, and 25 percent. One executive, it should be noted, replied that his company had no Negro employee prior to the passage of the Civil Rights Act.

RECRUITMENT OF NEGROES

There's been a lot of talk recently concerning the difficulty in recruiting Negroes. Some companies have said that they haven't encountered any problem in finding qualified Negro employees. Others explain that their company hires on the basis of merit alone and without regard to an individual's race, creed, color, or national origin, but that the company has been faced with a problem of finding qualified Negroes. Many of these companies are members of the Plans for Progress program, others are not.

A few executives--whose companies have based employment strictly on merit--strongly object to the idea of going out and finding qualified Negroes, because this approach, they feel, is giving "preferential treatment" to the Negro population. One of these executives--whose company is a member of Plans for Progress but which did not agree to seek out qualified Negroes as did other such companies--leveled a strong jab at BNA's questionnaire, while expressing other viewpoints on the Negro question. Here's what he had to say:

> With all due respect to the Bureau of National Affairs, I believe that this is the most poorly conceived questionnaire that I have ever seen emanate from your great institution.
>
> Initially, the purpose of Title VII of the Civil Rights Act was to create employment opportunities on the basis of merit, yet many of your questions are ill-conceived and imply preferential treatment for Negroes and I, personally, resent this approach on your part very much.
>
> The American public has been badly misled; employers have been duped; and our obligations under the Plans for Progress program is to employ . . . as we have for many years . . . on the basis of merit only. Currently, many of the people responsible for administering the progress under Title VII and Plans for Progress are interested in statistical improvement in the percentages of Negroes on their payrolls. I must say that, in my opinion, the percentage of Negroes on our payroll will probably be reduced and not increased as a result of the necessity of upgrading our employment standards to keep abreast of technological changes occurring within our industry. If we were hiring Negroes for the first time, obviously our statistics would improve, but I resent the following and predict that there will be substantial opposition to these points:

(1) Paying a premium salary to Negro college graduates just for the sake of getting a Negro on the payroll.

(2) Seeking out Negroes by recruiting at all-Negro colleges.

(3) Seeking out, exclusively, Negro employment sources just for the purpose of getting Negroes on the payroll.

(4) The emphasis on culturally deprived being applicable only to Negroes, because it is equally applicable to culturally deprived whites.

(5) The lack of intestinal fortitude on the part of businessmen to make the merit employment concept a reality and not use it for the purpose of preference to Negroes.

You will note in the document signed by President Johnson and our President and Chairman of the Board that we did not agree to seek out qualified Negro applicants as did many companies, since we feel that this is contrary to the American way of life and to the merit employment concept.

Again, I must repeat that your questionnaire is "lousy" and only misguides an already naive group of employers who yield to government pressure as a price of doing business.--John R. Hundley, Vice President, Industrial Relations, Granite City Steel Co., Granite City, Ill.

A few other Panel members voiced their concern in this manner:

I believe most people in the Northeast respect the Negroes' rights and view this as a moral issue. However, government interference and pressure to get more Negroes employed at all levels regardless of qualifications--the so-called "affirmative action" required by Executive Order 10925--has caused some apprehension of Title VII. The idea that employers will be pressured into discriminating for Negroes is a fear that I sense among groups of employees and applicants.

We have set high, but not unreasonable, employment standards and uniformly require all applicants to measure up to these standards. This helps offset the fear that Negroes will be hired because of pressure rather than qualification and it makes good business sense to hire the best qualified people regardless of color. I believe this is basically what the Negro community wants and expects.--Gerald C. Burdick, Director of Industrial Relations, Mesta Machine Co., Pittsburgh, Pa.

* * *

We have not made any special efforts to seek out Negro applicants any more than we make extra efforts to seek out Mexicans, Jews, Catholics, Chinese, or what have you. Nor do we discriminate against anyone solely because of race, religion, etc. We have actively cooperated with the President's Committee on Equal Employment Opportunity, and have revised written policies and union contracts to specify company policy.

We do not believe special considerations, specific quotas, or reverse discrimination is the answer. If the qualifications of Negro applicants are comparable to whites, they will be hired. We know that increasing pressure will be placed on us to hire Negroes because they are Negroes and not because they are qualified. The answer lies with the Negroes themselves to pull themselves up by their bootstraps, without reliance on special government pressures.--Herman Harrow, Director of Industrial Relations, The Welch Grape Juice Co., Inc., Westfield, N.Y.

The vast majority of executives didn't condemn the questions asked by BNA on its questionnaire and didn't score government "pressure" or "interference," although conceivably many of them could have had thoughts along these lines but didn't go out of their way to express their feelings. Many of the respondents, however, did say that they have in the past, and will continue, to hire without regard to a person's race, creed, color, or national origin, thus implying that the Civil Rights Act and the Executive Orders concerning the employment of Negroes weren't necessary in the first place.

To find out what Forum companies actually are doing to recruit qualified Negroes, if anything, these questions were asked: "Has your company taken any positive steps to recruit qualified Negroes, and if so, what steps are being taken?" "Has your company taken any steps to insure that private employment agencies aren't being discriminatory in their referrals?" And "Has your company been

approached by any civil-rights group to hire Negroes?" The answers to these and other questions appearing on the questionnaire, as given by members of the Panel, appear below.

Action Taken to Recruit Negroes

Close to three in four executives on the Panel--77 percent of those with larger companies and two thirds of those with smaller ones--reported that their company takes positive steps to recruit qualified Negroes. How do they go about it? The principal method, according to over four in five of these Panel members, is by contacting federal and state employment services for Negro help. The next most widely used method is to seek referrals from Negro workers currently employed by the company. The only other method used by a majority of Forum companies is to seek referrals from such organizations as the NAACP, CORE, and the Urban League, which is the practice in just over three fifths of Forum companies. However, slightly more than one in eight of these executives reported that his company sought referrals only from the Urban League. Other methods used by at least one in five Forum companies in which positive steps are taken to recruit qualified Negroes are to place advertisements in newspapers or magazines having a high Negro circulation to send recruiters to high schools and colleges with predominantly Negro student bodies, and to seek referrals from Negro clergymen.

The following table gives a percentage breakdown of the methods used by Forum companies to recruit qualified Negro help:

Methods Used to Recruit Qualified Negroes

	All Cos.	Larger	Smaller
Making contact with federal and state employment services	83%	86%	75%
Seeking referrals from Negro workers currently employed by the company	78	76	85
Seeking referrals from such organizations as the NAACP, CORE, and Urban League	62	78	25
Advertising in newspapers or magazines with a high Negro circulation	45	51	30
Sending recruiters to high schools and colleges with predominantly Negro student bodies	33	43	10
Seeking referrals from Negro clergymen	22	29	5
Other	22	24	15

Among the "Other" methods used by Forum companies to recruit qualified Negroes are the following: contacting local mayor's panel on equal employment opportunity; contacting other companies for Negro help; contacting influential Negro business and community leaders; seeking referrals from the Youth Opportunity Board; participating in and using the National Urban League Skills Bank; interviewing Negro applicants at times when the company is not hiring, so as to have applications on file when positions open; placing "Equal Employment Opportunity" on all advertisements; and by participating in the Cleveland Occupational Planning Programs and the Seattle Job Fair.

To illustrate, in detail, what certain Forum companies have done to seek out qualified Negro employees, here are a few comments from Panel members in these companies:

> We originally had no Negroes. With the advent of the Civil Rights Act, we hired some Negroes. We have an over-all total of five, four of whom are in production and one in the accounting office.

> We started out by writing letters to all agencies that we contact or use in securing employees, outlining our policies in such matters, and calling on the local state employment office, local business school, chairman of the Mayor's panel, on equal employment opportunities, principal of the local Negro high school (the schools are integrated) . . . the president of the local state vocational school (a Negro institution which has some white students). Letters also were written to the NAACP, and Urban League groups outlining our policies. Notwithstanding any of the above, there has been no appreciable number of Negro applicants.--James Jennings, Personnel Manager, Modine Manufacturing Co., Paducah, Ky.

* * *

We have invited representatives of various Negro groups such as HARYU (Harlem Youth Action project) and discussed the problem of attracting skilled Negroes. For example, of the hundreds of industrial engineers, skilled trades--screw machine operators, toolmakers, boring mill hands, draftsmen--we can count on one hand the number of Negro applicants. Negro leaders acknowledge that their people simply do not take advantage of the opportunity to learn such skills and trades--even though the schools are open to all and in most instances are free of charge. We encouraged the leaders to send likely trainee prospects to be interviewed for the few training programs we have. They sent one candidate who we placed in a clerical position, which offers a good opportunity for advancement.--Robert O. Wechtler, Manager of Industrial Relations, Neptune Meter Co., Long Island City, N.Y.

* * *

All plant personnel managers and plant department heads with personnel responsibilities were informed orally in November 1963 of our policy on equal employment opportunity. (The policy is to provide equal employment opportunities for all persons regardless of race, creed, color, or national origin.) This same policy also was sent at that time to all other managers and department heads in the company.

The plant managers and department heads at all plants were informed in special meetings personally by the Vice President, Organization & Personnel Division, or one of his representatives (in April 1964) that it was not only their responsibility to see that no discrimination against minority members occurred in their plants, but that they were specifically to seek out qualified colored people and employ them until a significant percentage was working successfully in their plants.

The company's policy regarding equal employment opportunity was presented to all employees in the employee publication in June 1964. Almost all of the plants with significant Negro populations in the community have now been integrated with no unfortunate incidents.--Larger-company executive.

* * *

Prior to 1964, there were no Negroes in our employ. We have never found it necessary to recruit employees, as there was always an abundant supply of applicants coming in unsolicited. Contrary to the policy of many companies, we have been quite successful in employing many people from the same family. Hence, many of our new employees have come to us recommended by present employees. With the introduction of the Civil Rights Act, however, we were somewhat at a loss as to how to find qualified Negro help. We decided to stay with our present policy of hiring only from applications, but took care to interview all Negro applicants who could possibly qualify. There were very few Negro applicants and it was several months before we were able to hire our first Negro. We were extremely selective in hiring him, as this employee would have to prepare the ground for other Negroes. We were fortunate in our first selection, and have been able to integrate with no racial problems developing. After the first Negro was hired, she was able to refer other qualified Negroes to us, and we now have seven in our employ.--Smaller-company executive.

* * *

Prior to 1964, the company had paid "lip service" to integration and in a period of five years had only hired three Negro applicants. During the summer of 1964, the Personnel Director brought this to the President's attention. He in turn brought it up before the Board of Directors. The Board formally issued an employment policy that there shall be no discrimination against any employee or applicant for employment by reason of race, color, sex, religion, or national origin. Meetings were then held with both the office and shop supervisors and with the union explaining the new policy. From that point on qualified Negro applicants were referred to supervision and, as a result, approximately 40 Negroes have been hired in the last eight months. Except for a few minor cases, the integration has been successful.--Harold F. Young, Preformed Line Products Co., Cleveland, Ohio.

Use of Private Employment Agencies

Seventy-seven percent of Forum companies (85 percent of larger companies and 62 percent of smaller ones) use private employment agencies to recruit employees. And three in four of these companies, according to replies from Panel members, take some type of action to insure that the agencies they use aren't being discriminatory in their referrals.

What definite steps are taken? Virtually all Forum company executives stated that the agencies are informed--mostly in writing, but in some cases orally--that applicants are to be considered on ability alone, that their company is "An Equal Opportunity Employer," that applicants are to be referred without

regard to race, creed, color, or national origin, or some such remark. A few of these companies also inform their agencies that they are not to discriminate on the basis of sex, either.

One executive stated that in addition to sending a letter to the agencies informing them that applicants are to be considered on the basis of ability alone, his company also makes telephone calls to the agencies to motivate special effort to find qualified Negroes. Another executive replied that his company requires a compliance statement of those agencies which are used.

One smaller-company executive, who said that his company didn't take steps to insure that employment agencies weren't being discriminatory, stated that a local ordinance prohibits discrimination by employment agencies, and added that he knows "by experience that the agencies used do not discriminate."

Contact by Civil Rights Groups

This question was put to Panel members: "Has your company been approached by any civil-rights group to hire Negroes?" According to the replies, many of their companies have been approached, but not as many as might have been expected. Just under a fourth of the Panel members (35 percent of those with larger companies and 3 percent of those with smaller companies) said that their company had been contacted by at least one civil-rights group. All of the remaining companies hadn't.

Executives in those Forum companies that had been approached by certain civil rights organizations then were asked to describe their experiences. Many of them reported "courteous" or "pleasant" meetings. Here's what they had to say:

> Local human relations council met with us urging additional hirings. Very pleasant meeting. This took place over a year ago--no contact since. They were told that we would continue to hire only qualified applicants.--K.C. Brown, Director of Personnel, Channing-Wolverine Cos., Battle Creek, Mich.
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> * * *
>
> Local representatives of the NAACP discussed our situation in detail and requested us to hire more Negroes whenever possible. Approach was very courteous. We explained our policy and practice.--Daniel J. Hobbs, Director of Industrial Relations, The Mosler Safe Co., Hamilton, Ohio.
>
> * * *
>
> Contacted by CORE, NAACP, and special local groups. We gave them information they requested, outlined our policy and job requirements, and asked them to refer applicants.--L.C. Alten, Staff Supervisor, Ohio Bell Telephone Co., Cleveland, Ohio.
>
> * * *
>
> Approached by NAACP. They have been very understanding and have not flooded us with applicants. We told them our standards are high for all jobs, consequently they do their own screening.--W.F. Carman, Manager of Industrial Relations, Titanium Metals Corporation of America, Toronto, Ohio.

A few other executives on the Panel reported that they had had problems in dealing with certain civil rights groups and that these problems, for the most part, have been resolved. Here are their comments:

> A civil rights group demanded that we hire a large number of Negroes in a short period of time with the threat of pickets. We did not yield and they did not picket.--Larger-company executive.
>
> * * *
>
> The Steubenville, Ohio, NAACP alleged we were delinquent in employing Negroes. This was resolved to the satisfaction of the Ohio Civil Rights Commission.--Wayne T. Brooks, Wheeling Steel Corp., Wheeling, W. Va.
>
> * * *
>
> We were approached by NAACP and CORE. NAACP boycotted company products despite labor contract provisions which spelled out seniority rights of employees then on layoff.--E.S. Bohlin, Director of Industrial Relations, Carling Brewing Co., Cleveland, Ohio.
>
> * * *
>
> In the summer of 1964, discrimination charge was filed by several Negro school teachers alleging failure to interview for temporary vacation work. The charge was denied and it was shown that we had done no hiring or interviewing at the time of alleged applications. Settled by agreement to give these individual teachers preference in 1965.--Smaller-company executive.

Effective Sources for Recruiting Negroes

Referrals by employees and contacts with federal and state employment services are the two most effective sources for recruiting qualified Negroes, according to nearly two in five Panel members. Of those who mentioned employee referrals, the total was divided this way: 14 percent explained that the referrals were from Negro employees, the rest did not specify the race of the employees who made the referrals, although it may be assumed that in some instances the referrals were made by Negro employees.

Other sources specified as being effective by Panel members, mentioned by at least one in 10 of these executives, were contacts with the Urban League (no respondent mentioned the NAACP or CORE), Negro job applicants walking in off the streets, and recruiting at colleges, high schools, and vocational schools.

Below is a tabular presentation of the most effective sources for recruiting qualified Negroes as listed by Panel members:

Most Effective Source for Recruiting Qualified Negroes

	All Cos.	Larger	Smaller
Employee referrals	38%	27%	61%
By Negro employees	14	10	22
Not specified	24	17	39
Federal and/or state employment services	38	39	35
Urban League	16	22	4
Classified newspaper advertisements	15	16	13
Recruiting at high schools, vocational schools, and colleges	13	18	4
"Walk-in" job applicants	9	8	13
Private employment agencies	5	8	--
Recommendations from influential community and business leaders	5	8	--
Other	11	14	4

Included in the "Other" category are the following: retraining centers, job clinics, community-sponsored workshops, Youth Opportunity Board, Plans for Action in Changing Times, and the clergy. Two respondents listed in this category explained that they haven't found an effective source, while one made this comment:

> We are opposed to recruiting Negroes and object to this question. It implies preferential employment. We engage in merit employment and do not seek out any particular group of people.--John R. Hundley, Vice-President Industrial Relations, Granite City Steel Co., Granite City, Ill.

SELECTION & PLACEMENT OF NEGROES

The material that follows covers a few key questions in the selection and placement of Negroes. In brief, this section shows that (1) nearly nine in 10 Panel members whose companies administer mental-ability tests do not buy the idea that such tests are unfair to many Negroes (as has been claimed) as based on cultural and educational levels that some Negroes have not encountered and as thus underestimating the Negro's learning ability; (2) Panel members can see no particular reason for treating Negroes any differently from other job applicants when informing them that they lack the necessary qualifications to perform the job; and (3) there are very few problems encountered in integrating Negroes into certain occupations.

Administration of Mental-Ability Tests

At least some job applicants are given mental-ability tests in 74 percent of Forum companies--77 percent of the larger companies and 68 percent of the smaller ones.

Executives in those companies that give such tests to prospective employees were asked this question: "Do you believe--as has been claimed--that such tests are unfair to many Negroes because they are

based on cultural and educational levels that some Negroes have not encountered, and thus underestimate the Negro's learning ability?" Just one in eight of the Panel members answered affirmatively, and virtually all of the rest gave a negative reply. A few of the executives didn't answer either "yes" or "no," but gave answers such as the following: "If such tests are validated against performance, their use is justified;" "This is a distinct possibility;" and "This may be true, however, you must have some sort of yardstick to measure ability if you are to consider the best applicant."

One executive who answered neither way, gave this reply: "Since we require a high-school diploma, the use of a verbal-type test for mental capacity presented us particular problems; occasional 'double-checks' with a non-verbal test usually correlated well. However, we observed a remarkable tendency of Negro applicants to score low on a mechanical aptitude test which was non-verbal."

Respondents who answered that mental-ability tests are unfair to Negroes for the reasons cited were asked to explain why. Here's what these executives said:

> The validity of these tests undoubtedly is established on the basis of the society group over which they are spread.--Larger-company executive.
>
> * * *
>
> On the Wunderlich many Negroes fail spelling because of lack of exposure to word meaning, but the same applies to culturally deprived whites.--John R. Hundley, Vice President-Industrial Relations, Granite City Steel Co., Granite City, Ill.
>
> * * *
>
> "Many" Negroes come from culturally deprived environments. We relax our standards somewhat. Also some Negroes have heard they have trouble with tests so they get tense and have trouble.--Larger-company executive.
>
> * * *
>
> In some parts of the country, such tests are unfair.--Larger-company executive.
>
> * * *
>
> I believe that this is true of some tests, but not all.--Smaller-company executive.

Panel members who replied that such tests are not unfair to the Negro population gave a wide variety of replies, including the following:

> This might be a problem with other than local Negroes. Educational facilities here, however, seem to be about on a par as those for whites.--N.P. Goodrich, Industrial Relations Manager, American Hoist & Derrick Co., St. Paul, Minn.
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> Each person, regardless of color, must rely on his own individual abilities. To change the standards for some would result in confusion for all.--Daniel J. Hobbs, Director of Industrial Relations, The Mosler Safe Co., Hamilton, Ohio.
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> We fashion our tests to deal equitably with the individual's qualifications regardless of race. --Larger-company executive.
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> We believe that a greater percentage of Negroes fail these tests than do whites and that the reasons are primarily because of differences in culture and motivation. We believe, however, that these differences are important in job success.--Larger-company executive.
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> Negroes tested by us have done well, and were hired to fill skilled jobs.--Thom Williams, Manager of Personnel, Bovaird & Seyfang Manufacturing Co., Bradford, Pa.
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> * * *
>
> Negroes have scored as well as any other race.--Fred Lewis, Personnel Director, Union Mills Paper Manufacturing Co., New Hope, Pa.
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> * * *
>
> We use aptitude tests made up primarily of questions designed, through simplification, to determine how rapidly and accurately the applicant thinks, rather than how much knowledge he has.--Larger-company executive.

Turning Down Negro Applicants

In devising the questionnaire, it was assumed that some Negro applicants who failed to meet the qualifications for a particular job would charge that the company was being discriminatory in its hiring

procedures. What we wanted to know was if any special steps were being taken, or under consideration, to demonstrate to a Negro job applicant that he was refused employment simply because he wasn't capable of doing the job or because he lacked the necessary qualifications for doing the job.

According to the vast majority of Panel members, no special procedure is taken or under consideration. Virtually all the executives explained the company's position as did the following Panel member who stated: "A Negro job applicant will be given the same explanation as all other applicants who fail to meet the requirements, and that is that they have not met the minimum requirements established by the company or they do not have the required qualifications for the job."

A few executives, however, explained that certain steps were being taken to demonstrate to Negroes that they were turned down only because they weren't qualified. According to one executive, his company is showing them the results of the tests that are given to both whites and Negroes; another stated that the company frankly discusses with Negroes their aptitude and experience as compared with job requirements and available applicants; still another replied that the company conducts "skillful" interviews.

Integration Problems Encountered

Very few Forum companies have experienced problems in integrating Negroes into certain occupations, replies from Panel members indicate. When asked if problems were encountered along these lines, just eight percent of the executives answered "yes"--a tenth of those with larger companies and six percent of those with smaller ones--and all of the rest said "no."

Those executives who were faced with problems of this nature were requested to illustrate the various problems they had and then to explain how the company handled the situation. Their replies follow:

> In departments where no Negroes were employed there has been apprehension but no incident of any significance. Most employees believe it better to hire qualified Negroes than to be pressured into hiring unqualified Negroes because of government or group pressure.--Gerald C. Burdick, Director of Industrial Relations, Mesta Machine Co., Pittsburgh, Pa.
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> * * *
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> At the clerical level, too many Negroes in one area often causes white v. black cliques.--Larger-company executive.
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> * * *
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> Only in very early efforts years ago. Some group resistance was encountered, which faded after Negroes actually came on the job. Firm management stand is essential to success.--L.C. Alten, Staff Supervisor, Ohio Bell Telephone Co., Cleveland, Ohio.
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> * * *
>
> In office: Although efforts were made to insure acceptance, the Negro girls were not willing to go the needed half-way but, instead, after introductions and invitations to coffee breaks, they grouped by themselves. Further efforts by responsible girls were of no avail.--Smaller-company executive.

A couple of executives whose companies have encountered problems in integrating Negro employees into certain occupations offer advice on how to avoid the occurrence of future incidents. They explain their companies' practices this way:

> We sit down with the group involved and explain that a new Negro employee has been hired. We ask for the group's cooperation and any suggestions they may have that will help make this employee feel accepted.--J.H. Peak, Industrial Relations Manager, Pflauder Permutit, Inc., Elyria, Ohio.
>
> * * *
>
> We had to overcome traditional Southern thinking. Before placing the first Negro in a position other than custodial, we discussed the situation with supervision to anticipate particular questions and problems. Then we held a meeting with employees of that department, explaining that we--from a practical and job security viewpoint--had no choice if we were to continue to enjoy government contracts. After placing the first Negro in a production job, the obvious resentment diminished to the extent that we now place male Negroes in all areas without any fanfare and in exactly the same manner as white employees.--Russell J. Sims, Director of Personnel, Fouke Fur Company, Greenville, S.C.

One executive explains that integration of Negroes into certain occupations isn't a problem because of a "general lack of community antipathy to integration, because of the strong policy in regard to equal opportunity, and because Negroes hired have been competent to perform the jobs on which they have been placed."

TRAINING & DEVELOPMENT OF NEGROES

What percentage of Forum companies have Negroes enrolled in work-study programs? Apprenticeship training programs? Supervisory and management or executive programs? Tuition-aid programs? Scholarship programs? To find out the answer to these questions, Panel members were asked a series of questions. A summary of their responses appears below.

Negro Employees: Training & Development

Executives on the Panel were asked two questions. First, they were requested to indicate if their company conducted work-study, apprenticeship-training, supervisory-training, management or executive training, tuition-aid, or scholarship programs. Those executives whose company conducted such programs then were asked to indicate if Negro employees are enrolled in these programs, or to indicate if their company did not employ Negroes in jobs from which candidates for the various programs are selected.

Following is a table which shows the percentage of Forum companies which conduct the six training and development programs listed above. Under each program listed also are the letters A, B, and C in parentheses. The (A) shows the percentage of companies that have Negroes enrolled in the program; the (B) indicates the percentage of companies that do not employ Negroes in jobs from which candidates for the program are selected; and the (C) shows the percentage of companies that failed to specify whether Negroes are enrolled in the program or whether they employ Negroes in jobs from which candidates are selected.

Negro Participation in Training & Development Programs

	All Cos.	Larger	Smaller
Work-study program	38%	48%	16%
(A)	20	27	4
(B)	16	18	12
(C)	2	3	--
Apprenticeship-training program	56	66	32
(A)	36	41	24
(B)	16	21	4
(C)	4	4	4
Supervisory-training program	62	70	44
(A)	25	30	12
(B)	32	32	32
(C)	5	8	--
Management or executive training program	52	61	32
(A)	15	14	16
(B)	33	41	16
(C)	4	6	--
Tuition-aid program	79	79	80
(A)	56	57	52
(B)	17	16	20
(C)	6	6	8
Scholarship program	35	36	32
(A)	19	18	20
(B)	14	14	12
(C)	2	4	--

Motivating Negro Employees

Seven in eight executives on the Panel (85 percent of those with larger companies and 92 percent of those with smaller ones) reported that their company isn't making any special effort to encourage

Negro employees to enroll in various training and development programs. The majority of these executives said they encourage all employees equally.

All of the remaining Panel members said that their company does make special efforts to get Negroes to enroll in these programs. How do they go about it? Among the methods mentioned are the following: house organ and bulletin board publicity, stressing that such programs are open to all regardless of race, publishing training opportunities in employee handbooks, etc.

Of those executives who stated that their company does not make any special effort to encourage Negro employees to enroll in these programs, one made the following remark:

> All employees are encouraged to participate in any self-improvement program that would benefit them. No special effort is made to single out the Negro for these programs since this might be considered an overt action indicating he is below par. It is my opinion Negroes and other minority groups must be made to feel they are equal. If this is done properly, these people will want to better themselves on their own by taking advantage of available programs.--J.H. Peak, Pflauder Permutit, Inc., Elyria, Ohio.

Plans for Progress Orientation

To insure that all employees, regardless of race, creed, color, or national origin, get a fair shake, the Training & Development Branch of American Airlines' Maintenance & Engineering facility, Tulsa, Okla., conducts a Plan for Progress Orientation program. Following in full text is the facility's teaching guide, which may be of interest to those who plan similar programs:

PLAN FOR PROGRESS ORIENTATION

A. General Introduction

I am sure it is not necessary in this kind of meeting to spell out all of the reasons why the matter before us deserves our attention; yet it is worth reviewing some of the principles involved, because each of us is going to be called upon from time to time to answer questions and explain the company's position. To do this, we must have a clear understanding of the "why" of American's policy with regard to nondiscrimination . . . and the Plan for Progress.

Basically, it is a matter of human rights--a moral problem, if you will, which each of us must face at some point in time. We all accept the principle that no man has the right to interfere with the rights of another. To do so is unjust and, therefore, morally wrong. Perhaps the whole idea was never better expressed than in that single sentence in the Declaration of Independence: "We hold these truths to be self-evident: that all men are created equal and are endowed by their creator with certain inalienable rights . . ." This is undoubtedly one of the greatest challenges ever raised by man at bigotry, discrimination, and intolerance.

It follows then that to the extent that American Airlines denies to any man the opportunity for a job merely because of the color of his skin, we are doing that man an injustice. We are violating one of the fundamental moral principles upon which our whole free society has been built. In this room there are undoubtedly members of many different religions; yet not one of us would advocate discrimination on that basis. In the same way it is our job as members of management to see to it that there is no discrimination against any man because of the color of his hair, or differences in his manner of speech--or for any other similar reason.

We enjoy an excellent reputation for our record of good relationships among our people. You, as members of management, are certainly chiefly responsible for building and maintaining that reputation. Yet I think we'll have to agree that in some cases in the past, we may have fallen short in our responsibilities in this respect. There is no room whatever in the American Airlines organization for discrimination, intolerance, or bigotry--whether it is based on race, religion, or color. This is the fundamental principle confronting us. It is, if you will, the moral side of the issue. And on that basis alone, our course is clear.

And yet, this isn't the whole story. There are other, additional arguments which must be considered, growing from the fact that the people of this country do not like discrimination, particularly when they are the object of discrimination. By and large, people will approve an institution that is doing the

right thing, and disapprove any company that is falling short in some important respect. Call it a matter of public image, if you will, or the image which American presents to its many customers and to the public at large. We have always been known as America's Leading Airline from the standpoint of service, dependability, and technological progress. There is no earthly reason why we should not form the pattern for others to follow in the equal treatment of our employees, and those who seek employment with us.

In following a policy and a program of equal opportunity, based on qualifications alone, we not only help to win the growing economic good will of the Negro business man and vacationer, but of the public as a whole. Thus, as we contribute to the social welfare of our community, we can expect to continue to build the kind of reputation that ultimately pays off in a higher volume of business.

There is yet another aspect of the problem which may affect our business. Let me read to you the government contract clause of an order issued by President Eisenhower: "In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employee or applicant for employment because of race, religion, color, or national origin. The aforesaid provision shall include, but not be limited to, the following: Employment, Upgrading, Demotion, or Transfer; Recruitment or Recruitment advertising, Layoff or Termination, Rates of Pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post hereafter in conspicuous places, available for employees or applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause." This means, in effect, that as a government contractor, we are subject to the provisions of this clause, just as are the large manufacturing and aerospace corporations who deal largely with government.

There's another, broader problem that affects us just as surely, though a little less directly. Present estimates are that the nation's 16 million Negroes have an annual income of about $15 billion dollars. One out of every ten people in this country is a Negro. If they all had equal opportunities to earn a better living, there would undoubtedly be many billions of dollars of additional purchasing power available. That would increase business activity, expand the demand for all kinds of products, including air transportation. It would help to create a healthier economy and therefore add to the prosperity of American Airlines and everyone associated with us.

Another reason arises from the results of discrimination. In many cases, crime, juvenile delinquency, and other social evils are traceable to the conditions that have been created by prejudice and discrimination. The cost of dealing with these problems, apart entirely from their effect on the society in which we all live, is tremendous. And each of us individually has to pay a share of that cost.

Then, too, American Airlines, like every other major corporation, is competing for the best available talent and experience to strengthen every phase of our operation. There are many highly qualified Negro people who could make a real contribution to this organization if they were selected on the basis of their qualifications regardless of the color of their skin.

There is another even broader reason for offering job opportunities to Negroes, and it has to do with the greatest threat of our times--the slow spread of communism throughout the world. There can be no question but that one of the strongest supports of communist activity in this country has been the fact that certain types of American citizens have been denied the full opportunities of our society. More than that, one of the strongest arguments of the communists in other parts of the world has been that there is discrimination in the United States.

This has helped to win for Soviet Russia the allegiance of people who might otherwise prefer our kind of democracy--and I would remind you that two-thirds of the world's population is colored. We all have a responsibility in this connection, to help eliminate the kind of discrimination that gives the communists ammunition to play up racial bigotry and create anti-American sentiment.

As we meet here today and discuss a problem like this, we may wonder just how difficult such an adjustment in many of our minds might be. The experience of all kinds of organizations--manufacturing, merchandising, and service, and other institutions such as colleges and universities--has generally been this: Once a program of nondiscrimination and equal opportunity is adopted, if it is properly handled, there are virtually no problems whatever. And, I think we have some evidence of this with our own experience to date. Negroes are in our employ as Sales Representatives, Personnel Representatives, Ticket Agents, Ramp Agents, Reservations Agents, Mechanics, Technical Foremen, Office and Clerical workers, and various Management/Specialist positions--and, of course, as Stewardesses. These employees are doing an excellent job of selling American, and are visual evidence of the company's non-discriminatory policies. They have received numerous letters of commendation for excellent job performance from the public and from supervisors. Each, in his own way, has set an example of the ideal toward which we are working.

To sum up, we have a moral obligation here, and what we do about this obligation, how we face it, how we present it to our people, will either help our business, or damage our business, help our community, or hurt our community, help our nation, or help our enemies. The choice is ours--yours and mine--and the course is clear.

Now, in terms of an actual creative effort, and positive action toward the solution of the problem, we must understand that under no circumstances will Negroes be employed just because they are Negroes. All applicants must meet employment standards and be well qualified for their job assignments when hired. Negroes will be placed thoughout the company according to their qualifications and abilities.

As our hiring continues, the Personnel Division will talk with each supervisor requisitioning new personnel, to determine the advisability of placement of a Negro applicant, should one be thoroughly qualified to fill the vacancy. At the same time, we should make it absolutely clear to all of our people that we will not depart from purpose or policy, nor yield to outside pressures of any kind which may develop; that we simply plan to offer greater employment transfer, and promotional opportunity to the Negro employee, according to his qualifications and ability.

We must solicit the cooperation and the understanding of all employees, and from the very few who might oppose this program, we must demand it.

This, broadly, is the company's position. It is of the utmost importance that each of you understand it fully and that you prepare yourself to do your part when the time comes; to transcend whatever personal emotion of resentment or resistance you may feel as a result of attitudes which you may have developed long ago; to work in a positive and cooperative spirit to the good of your company, your community, and your country; to view what we have said here today not as a command directive which forces you to change values and traditions in which you may most sincerely believe--but as policy developed by your company to provide equality and justice to human beings, who, like yourself, wish only to better themselves in a fruitful, productive, and meaningful way.

B. The Plan for Progress -- Background

Now, to discuss in detail the PLAN FOR PROGRESS, we will first distribute additional copies of the plan to you. You will recall that the PLAN was initially issued by mail to all Management and Specialist employees on March 15, 1963. We'll take a few minutes now, to present additional details and clarification concerning the PLAN FOR PROGRESS, and American's commitment to the ideals which the PLAN represents.

American Airlines became the first domestic airline to participate in the PLAN FOR PROGRESS program, which was sponsored by the President's Committee on Equal Employment Opportunity. Mr. C. R. Smith, and Mr. G. Marion Sadler signed a PLAN FOR PROGRESS statement along with corporate officers of other leading companies of the United States, at White House ceremonies on January 17, 1963.

Since then, we have re-emphasized--and pledge to continue--our policies for providing equal employment, transfer, and promotion opportunity for all persons, without regard to color, race, national origin, or creed. In addition these policies relate to equality in training, compensation, conditions and privileges of employment, layoff, recall, discipline, and discharge.

There can be no question of the intent of the company to implement and enforce this policy; it applies to every unit and section, to every station and city, to every function, and there can be no evasion, no lip service, no minimizing its intent or application. The policy applies to all employees, hourly, salaried, Management/Specialist, and Management, and must be activated with no mental reservation on the part of any supervisor in the performance of his duties of managing. You, as a member of management, have the responsiblity for the implementation of this policy. The meaning is clear and understandable. you should make certain that your employees know of this policy, and if they do not know of it, then you should make them aware of it, in a positive and constructive manner, leaving no room for interpretation or misunderstanding.

C. The Plan for Progress -- Specifics

a. General. -- The President of the United States has stated a national policy that all persons are entitled to equal employment opportunity, regardless of race, creed, color, or national origin.

American Airlines intends to follow the President's policy, and has voluntarily embarked on this company-wide program to expand and strengthen its efforts to promote equal opportunity.

This is a long range and a continuing program, and many problems lie ahead--not one of which is unsurmountable if approached openly, and with clear heads, clear thinking, and logic.

b. Policy. -- It should be thoroughly understood by your people that American Airlines continually seeks the best qualified applicants and employees in all categories of employment and work assignment, and that all such employment and assignment shall be made without regard, under any circumstances, to race, creed, color, or national origin. Further, that promotion, training, compensation, and conditions and privileges of employment, discharge, layoff, and recall, shall similarly be made without consideration to race, creed, color, or national origin.

How long has it been since you recommended any of your employees for promotion to a better job? Are there employees working for you now who have done superior work, who hold potential for moves to positions of greater responsibility?

Look around, when you return to your job, and make your recommendations, get them to the Personnel Division--but make certain, as you do this, that you have carefully considered everyone who may be qualified, and that you are not overlooking someone who has the potential we need, but who may have a darker skin, or a name unlike yours.

c. Dissemination of Policy. -- Each member of management has been provided with a copy of our PLAN FOR PROGRESS. In the event yours has been misplaced, we are distributing additional copies in connection with this talk. How many of you have discussed the PLAN with your people? Do your people know and understand the plan? What is their attitude toward the plan? If you haven't discussed the plan with your people as yet, when do you plan to do so?

d. Recruiting. -- In addition to being an "EQUAL OPPORTUNITY EMPLOYER" thru the issuance of the PLAN FOR PROGRESS and this re-statement of our policy of non-discrimination, American will continue to cooperate with educational organizations and school systems with emphasis toward programs designed to raise the level of aspiration of all youths.

e. Transfer, Promotion, Termination, and Recall. -- It has always been American's policy to promote from within the employees who have demonstrated by past performance that they are well qualified for promotion. When opportunities for transfer or promotion occur, careful measures must be taken to make certain that minority group employees receive equal consideration.

Every effort will be made to insure that equal consideration is given to all qualified candidates without regard to race, creed, color, or national origin.

f. Training, Compensation, Facilities. -- Minority group employees will have equal training and demonstrate equal capacity in job performance with regard to compensation. Facilities will continue to be maintained on a non-segregated basis.

g. Implementation of Policy. -- As was stated earlier in this presentation, the responsibility for compliance with this policy of non-discrimination rests with all members of management. It has been delegated from the office of Mr. C.R. Smith. We cannot avoid our individual responsibility in this area.

In addition to the implementation of this policy, all supervisors should examine facilities, bulletin boards, and the work environment to make certain that no documents or printed matter not specifically authorized by the Company or the Union are posted.

It should be generally known that the Company will under no circumstances tolerate displays which tend to discredit or degrade minority groups, and that disciplinary action, when required, will be prompt, direct, and severe, in every case. As a member of management, you are requested to police this very carefully, and to take firm and deliberate action when circumstances such as this occur.

D. Conclusion

The responsibility for the general supervision and coordination in implementing this policy has been assigned to the Vice President - Personnel. You should feel free to call upon the Personnel Division regarding any problems or questions which you may have in regard to minority group relations. Remember, the Personnel Division exists to aid you in the discharge of your duties, and to assist you in meeting your obligations as a supervisor. The Division can also be expected to maintain surveillance of the implementation of the PLAN FOR PROGRESS, and will from time to time, offer constructive recommendations concerning means of applying the PLAN. Above all, in order to succeed as it should, the PLAN requires constant team effort of all managers and supervisors. The success of the plan, lies in your hands as management representatives of American Airlines. We have every confidence in your ability to see it through.

Announcing a new and timely addition to BNA's labor information services . . .

FAIR EMPLOYMENT PRACTICES

If you are responsible for the conduct of employer-employee relations and/or have employment recruitment duties, BNA's new labor information service, FAIR EMPLOYMENT PRACTICES, is a "must" for you.

Title VII of the Civil Rights Act of 1964 makes it an avowed objective of the Federal Government to eliminate all employment discrimination based on race, color, religion, sex, or national origin in all industries affecting interstate commerce. The law imposes a new set of obligations upon employers, labor unions, and employment agencies. It gives employees, job applicants, and members of minority groups new rights, and it sets up machinery for enforcing those rights. It creates complex federal-state relationships in the enforcement of its provisions.

The purpose of BNA's FAIR EMPLOYMENT PRACTICES service is to keep you fully informed of the actual requirements of the federal and state laws dealing with "equal employment opportunity" and to acquaint you with the administrative and enforcement procedures already established or newly being developed under these laws.

• FULL TEXTS, CLEAR EXPLANATIONS

FAIR EMPLOYMENT PRACTICES combines textual material with editorial treatment. It provides full text of the applicable laws and regulations, summaries of court rulings, and clear explanations of what management can and can't do in this complex area of employment practices.

The service is divided into six sections. The first contains the text of Title VII of the Civil Rights Act; the executive orders forbidding discrimination by federal government contractors; and the regulations, forms, and administrative interpretations of the Equal Employment Opportunity Commission and the President's Committee on Equal Employment Opportunity.

The next four sections contain explanations of the coverage, prohibitions, administration and enforcement, and the reporting and record-keeping requirements of the Federal Act and orders. The final section contains the text of state laws, regulations and interpretations. The service is fully indexed.

• SERVICE KEPT UP-TO-DATE THROUGH REGULAR SUPPLEMENTATION

Every other week, you will receive a brief report, titled "Latest FEP Developments," covering current trends and events of special significance. And looseleaf supplement pages for the service itself will be issued promptly, whenever it is necessary to add new information or to replace material which has become outdated.

FAIR EMPLOYMENT PRACTICES has been developed as an addition to BNA's LABOR POLICY AND PRACTICE service and is coordinated and identified with that service. It is available, however, as a self-contained service in addition to being a unit of the complete LABOR POLICY AND PRACTICE service.

• INQUIRIES INVITED

For additional information, please write or telephone:

THE BUREAU OF NATIONAL AFFAIRS, INC.

1231 24th Street, N.W., Washington, D. C. 20037 (Area Code 202) 333-6800

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

information

from the Equal Employment Opportunity Commission

1800 G St., N.W., Washington, D.C. 20506

TITLE VII NEWS BRIEFS APRIL 1967

Highlights of what's happening at EEOC.....

RAISES OF $150 A MONTH, A $500 SETTLEMENT AND A NEW JOB went to a woman working for a metals company in New England.

Before EEOC conciliation, the company refused to promote her to the traditional male job of inventory control leadman. Through conciliation efforts, she was promoted to the job, and got an $80 a month -- or 15% -- raise. Within eight months her salary was raised an additional $70 a month, equal to the previous salary for the job.

The company also awarded her $500 in settlement of the damages caused by her being denied the opportunity to fill the job because of her sex.

* * * * * * * *

REHIRING WITH BACK PAY is what the EEOC calls for in the case of a Negro who was fired from his job in a Birmingham plant the same day that he used the restroom customarily used by white employees.

* * * * * * * *

NO VACANCIES FOR NEGROES, JOBS FOR WHITES is cause for violating Title VII, the Commission rules. A Negro woman was interviewed, tested and found qualified for a job in an Augusta, Georgia chain store. However, she was not hired because there were "no vacancies", even though that very day a white person was hired. The discrimination charge is in the process of EEOC conciliation.

* * * * * * * *

EEOC

NEGRO GETS JOB as a result of EEOC's work. A Negro worker in a Georgia plant, who had been with the company for more than 12 years, was passed over in promotion and transfer opportunities by white men with less seniority and qualifications. He had applied for a cabinet maker's job several times and had been passed by. After the Commission's conciliation agreement was completed, he got the job -- and a lump sum adjustment.

* * * * * * * *

GRANTING EQUAL FRINGE BENEFITS FOR MEN AND WOMEN EMPLOYEES -- and their spouses -- is the law. The Commission found that a transportation company went against the law when it gave pass priveleges to wives of male employees, but not to husbands of female employees.

* * * * * * * *

A CONCENTRATED EFFORT is needed to close the job gap between whites and non-whites, said Stephen N. Shulman, Chairman of the Equal Employment Opportunity Commission, at a meeting of business leaders in Detroit. "Equal employment opportunity is a full-time job", he stressed, calling for "the reduction of minority unemployment and correction of patterns of distribution which find minority employees in the low job categories."

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INFORMATION

FROM THE File-EV
PRESIDENT'S COMMITTEE
-ON-
EQUAL EMPLOYMENT OPPORTUNITY
Washington 25, D. C.

Malcolm F. Wise, Director of Information
961-3854

EEO 279 9/9/65

FOR RELEASE ON RECEIPT

Washington, D.C. --- Hobart Taylor, Jr., has been confirmed by the Senate as a member of the board of directors of the Export-Import Bank.

Mr. Taylor, Executive Vice Chairman of the President's Committee on Equal Employment Opportunity and Associate Counsel to the President, was nominated for the board by President Johnson on August 26.

Although he will be giving up his two former titles to take the new position, Mr. Taylor will keep in close contact with the programs for which he formerly was responsible.

Vice President Hubert H. Humphrey has asked him to be his personal representative to Plans for Progress and to continue to guide the program as he has in the past.

Plans for Progress is a voluntary cooperative program of the President's Committee in which 316 major American corporations, employing more than 8.6 million persons, have joined together to provide leadership in the field of equal opportunity.

Mr. Taylor will be one of five directors of the Export-Import Bank (Eximbank), which was first created under the laws of the District of Columbia in 1934. It has been a self-supporting independent agency of the Federal Government since 1945.

The job of the Eximbank is to supply credit and other financial services, such as guarantees and insurance, to facilitate our country's foreign trade.

As a practical matter, it handles mainly export transactions and thus can play a large part in keeping the nation's balance of payments favorable.

Since the bank's creation 31 years ago, it has authorized loan, guarantee and insurance transactions totalling more than $18 billion.

In doing so, it has assisted thousands of exporters, manufacturers and sellers of capital equipment, agricultural commodities and consumer goods, as well as suppliers of engineering, construction and shipping services.

Under current legislation, the bank may have outstanding commitments of up to $9 billion. The bank has an authorized capital of $1 billion subscribed by the U.S. Treasury -- on which it has paid dividends at the rate of five per cent for the last several years -- and has the authority to borrow up to $6 billion from the Treasury. It pays interest on these borrowings that are equivalent to the cost of the money to the Treasury.

Most of the bank's borrowed funds, however, are obtained in the private market through the sale of participations in its loan protfolio. The bank's outstanding commitments are limited by legislation to $9 billion.

The charter of the bank directs it to supplement and encourage private capital, not to compete with it. Thus, the Eximbank never knowingly authorizes a loan when private financing is available to the borrower. The bank's credit is used for exports of specific U.S. goods and services. The exports it finances must be paid for in U.S. dollars.

Actually, the dollars the Eximbank lends do not leave the United States -- they go straight to American suppliers.

Eximbank's programs are of two basic types: direct loans to overseas buyers, and guarantees and insurance extended to U.S. suppliers.

The first includes situations where the Bank itself negotiates long-term capital loans directly with potential foreign buyers of U.S. Goods and services. The recipients may be either U.S. or foreign firms, or foreign governments or their agencies. The projects financed involve almost every kind of enterprise which contributes to the economic development of the borrower's country -- manufacturing plants, power plants, mines, bridges, etc. The loans for these projects vary from a few hundred thousand dollars to more than $100 million.

The second type of program -- supplier credits -- embraces all assistance to U.S. exporters who extend credits to their overseas customers, either by themselves or in conjunction with their commercial banks.

Within this area, the bank has two major programs -- first, a system of guarantees issued to U.S. commercial banks which extend credit to U.S. exporters, and second, an export credit insurance plan carried out in conjunction with a group of private American insurance firms. These two programs initiated in 1961, have expanded to the point where they now account for about half of the bank's current commitments.

Besides increasing exports, these programs serve to widen the participation of American private enterprise in the financing of foreign trade.

In addition to these principal programs, the Eximbank also has a variety of other programs, including emergency foreign credits to government that normally are good customers of the U.S.; loans or guarantees for the purchase of U.S. agricultural

commodities; advance commitments for U.S. manufacturers who want to bid on specific foreign orders; guarantees to cover political and commercial risks in the sale of technical or professional services abroad; and guarantees against loss on leases of American equipment to foreigners and against loss on goods held on consignment.

During the past calendar year, the gross income of the Eximbank was about $180 million and out of this were paid administrative expenses of less than $4 million; interest on borrowings of about $58 million; dividends to the Treasury of about $50 million; and payments into reserves for contingencies of about $68 million.

9-24-65
Ask Secty re speeches
Check BNA who indicated
Ask for "popular"
Interpretive material

EXECUTIVE ORDER

11246

EQUAL EMPLOYMENT OPPORTUNITY

Under and by virtue of the authority vested in me as President of the United States by the Constitution and statutes of the United States, it is ordered as follows:

PART I - Nondiscrimination in Government Employment

SECTION 101. It is the policy of the Government of the United States to provide equal opportunity in Federal employment for all qualified persons, to prohibit discrimination in employment because of race, creed, color, or national origin, and to promote the full realization of equal employment opportunity through a positive, continuing program in each executive department and agency. The policy of equal opportunity applies to every aspect of Federal employment policy and practice.

SEC. 102. The head of each executive department and agency shall establish and maintain a positive program of equal employment opportunity for all civilian employees and applicants for employment within his jurisdiction in accordance with the policy set forth in Section 101.

SEC. 103. The Civil Service Commission shall supervise and provide leadership and guidance in the conduct of equal employment oppoftunity programs for the civilian employees of and applications for employment within the executive departments and agencies and shall review agency program accomplishments periodically. In order to facilitate the achievement of a model program for equal employment opportunity in the Federal service, the Commission may consult from time to time with such individuals, groups, or organizations as may be of assistance in improving the Federal program and realizing the objectives of this Part.

SEC. 104. The Civil Service Commission shall provide for the prompt, fair, and impartial consideration of all complaints of discrimination in Federal employment on the basis of race, creed, color, or national origin. Procedures for the consideration of complaints shall include at least one impartial review within the executive department or agency and shall provide for appeal to the Civil Service Commission.

SEC. 105. The Civil Service Commission shall issue such regulations, orders, and instructions as it deems necessary and appropriate to carry out its responsibilities under this Part, and the head of each executive department and agency shall comply with the regulations, orders, and instructions issued by the Commission under this Part.

PART II - Nondiscrimination in Employment by Government Contractors and Subcontractors

Subpart A - Duties of the Secretary of Labor

SEC. 201. The Secretary of Labor shall be responsible for the administration of Parts II and III of this Order and shall adopt such rules and regulations and issue such orders as he deems necessary and appropriate to achieve the purposes thereof.

Subpart B - Contractors' Agreements

SEC. 202. Except in contracts exempted in accordance with Section 204 of this Order, all Government contracting agencies shall include in every Government contract hereafter entered into the following provisions:

"During the performance of this contract, the contractor agrees as follows:

"(1) The contractor will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

"(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.

"(3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under Section 202 of Executive Order No. 11246 of Sept. 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

"(4) The contractor will comply with all provisions of Executive Order No. 11246 of Sept. 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

"(5) The contractor will furnish all information and reports required by Executive Order No. 11246 of Sept. , 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contacting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

"(6) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of Sept. 24 , 1965, and such other sanctions may be imposed and remedies involved as provided in Executive Order No. 11246 of Sept. 24 , 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

"(7) The contractor will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of Sept. 24 , 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, That in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

who has been exempted

SEC. 203. (a) Each contractor having a contract containing the provisions prescribed in Section 202 shall file, and shall cause each of his subcontractors to file, Compliance Reports with the contracting agency or the Secretary of Labor as may be directed. Compliance Reports shall be filed within such times and shall contain such information as to the practices, policies, programs, and employment policies, programs, and employment statistics of the contractor and each subcontractor, and shall be in such form, as the Secretary of Labor may prescribe.

(b) Bidders or prospective contractors or subcontractors may be required to state whether they have participated in any previous contract subject to the provisions of this Order, or any preceding similar Executive order, and in that event to submit, on behalf of themselves and their proposed subcontractors, Compliance Reports prior to or as an initial part of their bid or negotiation of a contract.

(c) Whenever the contractor or subcontractor has a collective bargaining agreement or other contract or understanding with a labor union or an agency referring workers or providing or supervising apprenticeship or training for such workers, the Compliance Report shall include such information as to such labor union's or agency's practices and policies affecting compliance as the Secretary of Labor may prescribe: Provided, That to the extent such information is within the exclusive possession of a labor union or an agency referring workers of providing or supervising apprenticeship or training and such labor union or agency shall refuse to furnish such information to the contractor, the contractor shall so certify to the contracting agency as part of its Compliance Report and shall set forth what efforts he has made to obtain such information.

(d) The contracting agency or the Secretary of Labor may direct that any bidder or prospective contractor or subcontractor shall submit, as part of his Compliance Report, a statement in writing, signed by an authorized officer or agent on behalf of any labor union or any agency referring workers or providing or supervising apprenticeship or other training, with which the bidder or prospective contractor deals, with supporting information, to the effect that the signer's practices and policies do not discriminate on the grounds of race, color, creed, or national origin, and that the signer either will affirmatively cooperate in the implementation of thepolicy and provisions of this Order or that it consents and agrees that recruitment, employment, and the terms and conditions of employment under the proposed contract shall be in accordance with the purposes and provisions of the Order. In the event that the union, or the agency shall refuse to execute such a statement, the Compliance Report shall so certify and set forth what efforts have been made to secure such a statement and such additional factual material as the contracting agency or the Secretary of Labor may require.

Check against BNA

Exemptions Special

exemptions by rule

SEC. 204. The Secretary of Labor may, when he deems that special circumstances in the national interest so require, exempt a contracting agency from the requirement of including any or all of the provisions of Section 202 of this Order in any specific contract, subcontract, or purchase order. The Secretary of Labor may, by rule or regulation, also exempt certain classes of contracts, subcontracts, or purchase orders (1) whenever work is to be or has been performed outside the United States and no recruitment of workers within the limits of the United States is involved; (2) for standard commercial supplies or raw materials; (3) involving less than specified amounts of money or specified numbers of workers; or (4) to the extent that they involve subcontracts below a specified tier. ? The Secretary of Labor may also provide, by rule, regulation, or order, for the exemption of facilities of a contractor which are in all respects separate and distinct from activities of the contractor related to the performance of the contract: Provided, That such an exemption will not interfere with or impede the effectuation of the purposes of this Order: And provided further, That in the absence of such an exemption all facilities shall be covered by the provisions of this Order.

Subpart C - Powers and Duties of the Secretary of Labor and the Contracting Agencies

SEC. 205. Each contracting agency shall be primarily responsible for obtaining compliance with the rules, regulations, and orders of the Secretary of Labor with respect to contracts entered into by such agency or its contractors. All contracting agencies shall comply with the rules of the Secretary of Labor in discharging their primary responsibility for securing compliance with the provisions of contracts and otherwise with the terms of this Order and of the rules, regulations, and orders of the Secretary of Labor issued pursuant to this Order. They are directed to cooperate with the Secretary of Labor and to furnish the Secretary of Labor such information and assistance as he may require in the performance of his functions under this Order. They are further directed to appoint or designate, from among the agency's personnel, compliance officers. It shall be the duty of such officers to seek compliance with the objectives of this Order by conference, conciliation, mediation, or persuasion.

SEC. 206. (a) The Secretary of Labor may investigate the employment practices of any Government contractor or subcontractor, or initiate such investigation by the appropriate contracting agency, to determine whether or not the contractual provisions specified in Section 202 of this Order have been violated. Such investigation shall be conducted in accordance with the procedures established by the Secretary of Labor and the investigating agency shall report to the Secretary of Labor any action taken or recommended.

(b) The Secretary of Labor may receive and investigate or cause to be investigated complaints by employees or prospective employees of a Government contractor or subcontractor which allege discrimination contrary to the contractual provisions specified in Section 202 of this Order. If this investigation is conducted for the Secretary of Labor by a contracting agency, that agency shall report to the Secretary what action has been taken or is recommended with regard to such complaints.

SEC. 207. The Secretary of Labor shall use his best efforts, directly and through contracting agencies, other interested Federal, State, and local agencies, contractors, and all other available instrumentalities to cause any labor union engaged in work under Government contracts or any agency referring workers or providing or supervising apprenticeship or training for or in the course of such work to cooperate in the implementation of the purposes of this Order. The Secretary of Labor shall, in appropriate cases, notify the Equal Employment Opportunity Commission, the Department of Justice, or other appropriate Federal agencies whenever it has reason to believe that the practices of any such labor organization or agency violate Title VI or Title VII of the Civil Rights Act of 1964 or other provision of Federal law.

SEC. 208. (a) The Secretary of Labor, or any agency, officer, or employee in the executive branch of the Government designated by rule, regulation, or order of the Secretary, may hold such hearings, public or private, as the Secretary may deem advisable for compliance, enforcement, or educational purposes.

(b) The Secretary of Labor may hold, or cause to be held, hearings in accordance with Subsection (a) of this Section prior to imposing, ordering, or recommending the imposition of penalties and sanctions under this Order. No order for debarment of any contractor from further Government contracts under Section 209(a)(6) shall be made without affording the contractor an opportunity for a hearing.

Subpart D - Sanctions and Penalties

SEC. 209. (a) In accordance with such rules, regulations, or orders as the Secretary of Labor may issue or adopt, the Secretary or the appropriate contracting agency may;

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(1) Publish, or cause to be published, the names of contractors or unions which it has concluded have compiled or have failed to comply with the provisions of this Order or of the rules, regulations, and orders of the Secretary of Labor.

(2) Recommend to the Department of Justice that, in cases in which there is substantial or material violation or the threat of substantial or material violation of the contractual provisions set forth in Section 202 of this Order, appropriate proceedings be brought to enforce these provisions, including the enjoining, within the limitations of applicable law, of organizations, individuals, or groups who prevent directly or indirectly, or seek to prevent directly or indirectly, compliance with the provisions of this Order.

(3) Recommend to the Equal Employment Opportunity Commission or the Department of Justice that appropriate proceedings be instituted under Title VII of the Civil Rights Act of 1964.

(4) Recommend to the Department of Justice that criminal proceedings be brought for the furnishing of false information to any contracting agency or to the Secretary of Labor as the case may be.

(5) Cancel, terminate, suspend, or cause to be cancelled, terminated, or suspended, any contract, or any portion or portions thereof, for failure of the contractor or subcontractor to comply with the nondiscrimination provisions of the contract. Contracts may be cancelled, terminated, or suspended absolutely or continuance of contracts may be conditioned upon a program for future compliance approved by the contracting agency.

(6) Provide that any contracting agency shall refrain from entering into further contracts, or extensions or other modifications of existing contracts, with any noncomplying contractor, until such contractor has satisfied the Secretary of Labor that such contractor has established and will carry out personnel and employment policies in compliance with the provisions of this Order.

(b) Under rules and regulations prescribed by the Secretary of Labor, each contracting agency shall make reasonable efforts within a reasonable time limitation to secure compliance with the contract provisions of this Order by methods of conference, conciliation, mediation, and persuasion before proceedings shall be instituted under Subsection (a) (2) of this Section, or before a contract shall be cancelled or terminated in whole or in part under Subsection (a) (5) of this Section for failure of a contractor or subcontractor to comply with the contract provisions of this Order.

SEC. 210. Any contracting agency taking any action authorized by this Subpart, whether on its own motion, or as directed by the Secretary of Labor, or under the rules and regulations of the Secretary, shall promptly notify the Secretary of such action. Whenever the Secretary of Labor makes a determination under this Section, he shall promptly notify the appropriate contracting agency of the action recommended. The agency shall take such action and shall report the results thereof to the Secretary of Labor within such time as the Secretary shall specify.

SEC. 211. If the Secretary shall so direct, contracting agencies shall not enter into contracts with any bidder or prospective contractor unless the bidder or prospective contractor has satisfactorily complied with the provisions of this Order or submits a program for compliance acceptable to the Secretary of Labor or, if the Secretary so authorizes, to the contracting agency.

SEC. 212. Whenever a contracting agency cancels or terminates a contract, or whenever a contractor has been debarred from further Government contracts, under Section 209 (a) (6) because of noncompliance with the contract provisions with regard to nondiscrimination, the Secretary of Labor, or the contracting agency involved, shall promptly notify the Comptroller General of the United States. Any such debarment may be rescinded by the Secretary of Labor or by the contracting agency which imposed the sanction.

Subpart E -- Certificates of Merit

SEC. 213. The Secretary of Labor may provide for issuance of a United States Government Certificate of Merit to employers or labor unions, or other agencies which are or may hereafter be engaged in work under Government contracts, if the Secretary is satisfied that the personnel and employment practices of the employer, or that the personnel, training, apprenticeship, membership, grievance and representation, upgrading, and other practices and policies of the labor union or other agency conform to the purposes and provisions of this Order.

Secty 15 Sec'd any?

SEC. 214. Any Certificate of Merit may at any time be suspended or revoked by the Secretary of Labor if the holder thereof, in the judgment of the Secretary, has failed to comply with the provisions of this Order.

SEC. 215. The Secretary of Labor may provide for the exemption of any employer, labor union, or other agency from any reporting requirements imposed under or pursuant to this Order if such employer, labor union, or other agency has been awarded a Certificate of Merit which has not been suspended or revoked.

PART III - Nondiscrimination Provisions in Federally Assisted Construction Contracts

SEC. 301. Each executive department and agency which administers a program involving Federal financial assistance shall require as a condition for the approval of any grant, contract, loan, insurance, or guarantee thereunder, which may involve a construction contract, that the applicant for Federal assistance undertake and agree to incorporate, or cause to be incorporated, into all construction contracts paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to such grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, the provisions prescribed for Government contracts by Section 203 of this Order or such modification thereof, preserving in substance the contractor's obligations thereunder, as may be approved by the Secretary of Labor, together with such additional provisions as the Secretary deems appropriate to establish and protect the interest of the United States in the enforcement of those obligations. Each such applicant shall also undertake and agree (1) to assist and cooperate actively with the administering department or agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with those contract provisions and with the rules, regulations, and relevant orders of the Secretary, (2) to obtain and to furnish to the administering department or agency and to the Secretary of Labor such information as they may require for the supervision of such compliance, (3) to carry out sanctions and penalties for violation of such obligations imposed upon contractors and subcontractors by the Secretary of Labor or the administering department or agency pursuant to Part II, Subpart D, of this Order, and (4) to refrain from entering into any contract subject to this Order, or extension or other modification of such a contract with a contractor debarred from Government contracts under Part II, Subpart D, of this Order.

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SEC. 302. (a) "Construction contract" as used in this Order means any contract for the construction, rehabilitation, alteration, conversion, extension, or repair of buildings, highways, or other improvements to real property.

(b) The provisions of Part II of this Order shall apply to such construction contracts, and for purposes of such application the administering department or agency shall be considered the contracting agency referred to therein.

(c) The term "applicant" as used in this Order means an applicant for Federal assistance or, as determined by agency regulation, other program participant, with respect to whom an application for any grant, contract, loan, insurance, or guarantee is not finally acted upon prior to the effective date of this Part, and it includes such an applicant after he becomes a recipient of such Federal assistance.

SEC. 303. (a) Each administering department and agency shall be responsible for obtaining the compliance of such applicants with their undertakings under this Order. Each administering department and agency is directed to cooperate with the Secretary of Labor, and to furnish the Secretary such information and assistance as he may require in the performance of his functions under this Order.

(b) In the event an applicant fails and refuses to comply with his undertakings, the administering department or agency may take any or all of the following actions: (1) cancel, terminate, or suspend in whole or in part the agreement, contract, or other arrangement with such applicant with respect to which the failure and refusal occurred; (2) refrain from extending any further assistance to the applicant under the program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from such applicant; and (3) refer the case to the Department of Justice for appropriate legal proceedings.

(c) Any action with respect to an applicant pursuant to Subsection (b) shall be taken in conformity with Section 602 of the Civil Rights Act of 1964 (and the regulations of the administering department or agency issued thereunder), to the extent applicable. In no case shall action be taken with respect to an applicant pursuant to Clause (1) or (2) of Subsection (b) without notice and opportunity for hearing before the administering department or agency.

SEC. 304. Any executive department or agency which imposes by rule, regulation, or order requirements of non-discrimination in employment, other than requirements imposed pursuant to this Order, may delegate to the Secretary of Labor by agreement such responsibilities with respect to compliance standards, reports, and procedures as would tend to bring the administration of such requirements into conformity with the administration of requirements imposed under this Order: Provided, That actions to effect compliance by recipients of Federal financial assistance with requirements imposed pursuant to Title VI of the Civil Rights Act of 1964 shall be taken in conformity with the procedures and limitations prescribed in Section 602 thereof and the regulations of the administering department or agency issued thereunder.

PART IV - Miscellaneous

SEC. 401. The Secretary of Labor may delegate to any officer, agency, or employee in the Executive branch of the Government, any function or duty of the Secretary under Parts II and III of this Order, except authority to promulgate rules and regulations of a general nature.

SEC. 402. The Secretary of Labor shall provide administrative support for the execution of the program known as the "Plans for Progress."

SEC. 403. (a) Executive Orders Nos. 10590 (January 18, 1955), 10722 (August 5, 1957), 10925 (March 6, 1961), 11114 (June 22, 1963), and 11162 (July 28, 1964), are hereby superseded and the President's Committee on Equal Employment Opportunity established by Executive Order No. 10925 is hereby abolished. All records and property in the custody of the Committee shall be transferred to the Civil Service Commission and the Secretary of Labor, as appropriate.

(b) Nothing in this Order shall be deemed to relieve any person of any obligation assumed or imposed under or pursuant to any Executive Order superseded by this Order. All rules, regulations, orders, instructions, designations, and other directives issued by the President's Committee on Equal Employment Opportunity and those issued by the heads of various departments or agencies under or pursuant to any of the Executive orders superseded by this Order, shall, to the extent that they are not inconsistent with this Order, remain in full force and effect unless and until revoked or superseded by appropriate authority. References in such directives to provisions of the superseded orders shall be deemed to be references to the comparable provisions of this Order.

SEC. 404. The General Services Administration shall take appropriate action to revise the standard Government contract forms to accord with the provisions of this Order and of the rules and regulations of the Secretary of Labor.

SEC. 405. This Order shall become effective 30 days after the date of this Order.

LYNDON B. JOHNSON

THE WHITE HOUSE,

September 24, 1965.

# # #

October 4, 1965

Mr. Wilbur S. Ames
Assistant Director
Missouri Adult Vocational-Literacy
Materials Development Project
Hill Hall
University of Missouri
Columbia, Missouri

Dear Mr. Ames:

Too long ago, on August 9, you wrote me a letter. It arrived on the eve of my departure from the University of Wisconsin on a year's leave of absence to be with the Southern Regional Council. Vacation and resettlement have taken their toll in time and so I am just now answering your inquiry.

First off, I have very little that I can tell you. The project to which Joe Mire of the National Institute of Labor Education referred is quite interesting. Nothing is currently underway, however, so that most of your questions must go unanswered. Mire will return from Europe early this month after which an arrangement may be made to start the program which would involve me and the Southern Regional Council.

The NILE proposal is not limited to literacy training but envisions other remedial training, education in basic union courses, and educational approaches to social, political, and economic understanding. The program is aimed specifically towards disadvantaged unionists; although I think it is an important program, I would be reluctant to describe it as a major one. It proposes to run several

demonstration projects. We would seek a good bit of outside counsel on anything relating to strictly literacy or remedial work. We are as much, or more, interested in ways of reaching people, keeping them involved, developing social understanding, and developing leadership as we are in specific performance in literacy training or the development of materials. You will understand, however, how the two emphases run hand in hand.

You could do me a real service by supplying more information about your own program. It would be of special interest to know the kinds of materials you are developing, the skills and training needed to properly utilize them, on what basis they are available to others and whether you are looking for groups to cooperate in testing them.

Thanks for your interest in the proposal here and we certainly look forward to hearing about your own undertaking.

Sincerely,

Emory F. Via
Director, Labor Program

EFV:js

January 7, 1966

Dr. Phyllis A. Wallace
Acting Chief
Office of Technical Studies
Equal Employment Opportunity Commission
Washington, D.C. 20506

Dear Dr. Wallace:

You had written to me at the University of Wisconsin regarding the interests of the Office of Technical Studies. I am on leave of absence from the University working with the Southern Regional Council. I would like to respond to your letter for myself and on behalf of Paul Anthony, Director of the Council, to whom you had also written.

Two suggestions of researchers interested in the same area as E.E.O.C. come readily to mind. I would guess that you have been in touch with both of them.

Professor Ray Marshall
Department of Economics
University of Texas
Austin, Texas

President Vivian Henderson
Clark College
240 Chestnut Street, S.W.
Atlanta, Georgia 30314

I am sending under separate cover several items which reflect some of the Council's interest in this area. Three city employment studies will be included which are certainly dated at this point.

We would be pleased to cooperate with you or your advisory committee in future undertakings. Will you let us know the composition of the committee when it has been selected? We would also welcome any listing or summaries of current research which you might prepare.

Best wishes in your new undertaking.

Sincerely,

Emory F. Via
Director, Labor Program

EFV:jb
Under separate cover:

(1) The Negro and Employment Opportunities In the South: Houston
(2) " " " " " " " " Atlanta
(3) " " " " " " " " Chattanooga
(4) The Economic Status of Negroes: In the Nation and in the South, by Vivian W. Henderson

January 14, 1966

Mr. Ben Segal
Equal Employment Opportunity Commission
Washington, D. C.

Dear Ben:

I have been in touch with:

Frances Pauley, Director
Georgia Council on Human Relations
52 Fairlie Street, N.W.
Atlanta, Georgia 30303

Eliza Paschal, Director
Atlanta Council on Human Relations
5 Forsyth Street, N.W.
Atlanta, Georgia 30303.

They are interested in meeting with you regarding E.E.O.C. and problems relating to employment in Georgia metropolitan areas.

Since I am away from the office and will be for several weeks I urge you to be in direct contact with these two people.

They will be interested in the general character of the meeting. By and large they will want to get down to cases as to how EEOC and local groups can cooperate for effective action to end discrimination in employment. In part they will need to understand clearly the different governmental avenues available for work on employment discrimination, and then to get a clear picture of what EEOC is and how it operates. But I don't think they will settle for this alone and will want to get down to what actually can be done in the Atlanta employment market.

It could be that the two groups would want two rather than one meeting. I suggest that you simply ask them to make a determination on this and let you know their 'druthers'.

I can be reached at the University of Georgia in Athens, at the Center for Continuing Education.

Best wishes to the family.

Sincerely,

Emory F. Via
Director, Labor Program

EFV:jb

COUNCIL ON HUMAN RELATIONS
of
GREATER ATLANTA

EEOC

Mrs. Eliza Paschall
Executive Director

January 27, 1966

You and your associates are invited to discuss with the Honorable Franklin D. Rooselt, Jr., and the senior staff officers of the Equal Employment Opportunity Commission the Commission's rules, plan and administration of Title VII of the Civil Rights Act, on Wednesday, February 2, at 2:30 p. m., at the Architects and Engineers Institute, 230 Spring St., N. W., (Spring and Harris) 3rd floor.

Mr. Roosevelt and his party will be in Atlanta for the opening of the EEOC Regional office, at 1776 Peachtree St., which will be headed by Mr. Donald Hollowell, as regional director.

In a morning session with Atlanta business men, equal employement opportunity matters will be discussed from the viewpoint of those in management. The afternoon session will take them up from the viewpoint of other groups involved.

The afternoon schedule will be:

2:30 to 3:30	Discussion with panel composed of Mr. Clarence Duncan, General Counsel, EEOC Prof. Alfred Blumerose, Director Conciliation, EEOC Mr. Roger McKenzie, Director of Technical Assistance, EEOC Mr. Ben Segal, Director of Liaison, EEOC
3:15	Coffee
3:30	The Honorable Franklin D. Roosevelt, Jr., Chairman, EEOC
4:00	Adjournment

The Council on Human Relations of Greater Atlanta is pleased to have been asked to issue this invitation and we hope that you will be with us.

File EEOC

WGC008

EMORY VIA SOUTHERN REGIONAL COUNCIL 5 FORSYTHE ST NW ATLANTA GA

WWAF 017 EEOC

WASHINGTON DC 1-28-66 1027R

YOU ARE INVITED TO OPENING OF FIRST REGIONAL OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY COMMISSION TO GREET REGIONAL DIRECTOR DONALD HOLLOWELL. CEREMONIES AT 12:30 PM FEBRUARY 2, ROOM 353, 1776 PEACHTREE STREET

FRANKLIN D. ROOSEVELT JR CHAIRMAN

12:30 PM 2 353 1776

VLW 1141R

JAN 27 1966
TELETYPE SERVICE CENTER
ATLANTA, GEORGIA

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[redacted]MBER 5228764 AT 1325R [redacted]

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February 23, 1966

Mr. John Feild
Conference of Mayors
1707 "H" Street, N.W.
Washington, D. C.

Dear John:

I was happy to see your paper for the Notre Dame Conference on Civil Rights. Would it be possible to get three copies, one each for Don Slaiman, Al Kehrer and me? Is it o.k. to give it this limited distribution and what restraints should we pass on to the other two persons?

I take it you are still not satisfied. Good.

Sincerely,

Emory F. Via
Director
Labor Program

EFV:jb

MAR 1966

File - Ben Segal

BIOGRAPHICAL SKETCH

Ben D. Segal is Director, Office of Liaison, Equal Employment Opportunity Commission. He was formerly on the staff of the Vice President as Special Assistant for Employment, President's Council on Equal Opportunity.

In the area of Civil Rights, he is Chairman of the Community Advisers on Equal Employment. This is an Ad Hoc advisory group which includes representatives of industry, labor, church, civil rights organizations and government in Metropolitan Washington. The Community Advisers recently prepared the published report "Equal Employment in the Nation's Capital."

He has received a number of awards for his work in Civil Rights, including the 1964 Washington, D. C. Annual Award for "His Dedicated and Steadfast Leadership in the Advancement of Human Rights and Equal Opportunity." In 1965 he was named to the annual Afro-American Honor Roll and presented a plaque for his efforts in "behalf of fair employment and fair housing" in the Nation's Capital.

Mr. Segal has written and edited a number of pamphlets, articles and study guides in the field of Civil Rights. Among these are "Racism in the South," "Civil Rights in the Nation's Capital: A Decade of Progress," "Fair Employment in the Nation's Capital," "Report on Washington, D. C.: Employment." He serves on the board of Friendship House and on the boards of numerous Civil Rights and social action organizations. He has served on the executive boards and is now a member of the National Association of Intergroup Relations Officials (NAIRO), the NAACP, the Urban League, etc.

Prior to his employment with the U.S. Government in June 1965, Mr. Segal was the Director of the National and International Affairs Department of the International Union of Electrical Workers, AFL-CIO. In this capacity, he coordinated the union's educational, Civil Rights, political-legislative and international affairs programs. He has also worked for the National CIO and Textile Union Workers of America in the south as well as with the International Ladies' Garment Workers Union. He has served five terms as President of the Workers Education Local of the American Federation of Teachers, AFL-CIO, and is presently a member of their executive board.

While working with the unions, he was extensively involved in international labor activities. He has participated in numerous international conferences and seminars in most of the European countries and Latin America, British Guiana, British West Indies, Israel, etc.

Mr. Segal was awarded a Senior Fulbright Fellowship in 1953-1954. More recently, he has been the recipient of three cultural exchange grants by the U. S. Department of State.

March 1966

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

newsletter

from the Equal Employment Opportunity Commission

1800 G St., N.W., Washington, D.C. 20506

VOLUME 1, NO. 3

FEBRUARY-MARCH 1966

EEOC Team Tours South

by FRANKLIN D. ROOSEVELT, JR.
Chairman

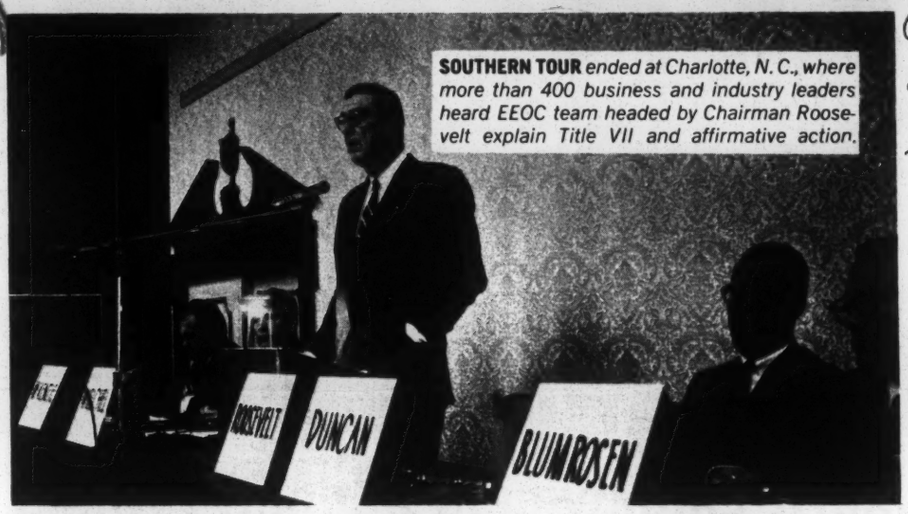
A Commission team has just completed a tour of four major Southern cities during which workshops were held with business and industry leaders to explain the requirements of Title VII and ways in which voluntary compliance can be accomplished through affirmative action.

The now famous '66 blizzard prevented me from getting to the first meeting at New Orleans, but Charles T. Duncan, general counsel, Alfred Blumrosen, chief of conciliation, and George Butler, education specialist, carried the ball and conducted a successful session with more than 150 business and industry leaders. The workshop was sponsored by the New Orleans Chamber of Commerce.

I was able to reach Memphis in time for a luncheon speech and informal gathering following the morning workshops, which were conducted by Duncan and Blumrosen, with an assist from Robert Gale, our public affairs director, who managed to get to Memphis the night before. More than 250 from Memphis and the Mid-South area of Arkansas, Mississippi and West Tennessee took part in the Memphis sessions and luncheon at the invitation of the Chamber of Commerce.

Roger McKenzie, our chief of technical assistance, caught up with us in Memphis and finally our full team went into action in the third city—Atlanta. Although attendance in Atlanta—almost 100—was not as extensive as it had been in the previous two cities, the sessions were active and the team was well-received as it had been in New Orleans and Memphis. We opened the Commission's first regional office at Atlanta with

Continued on page 3



SOUTHERN TOUR *ended at Charlotte, N. C., where more than 400 business and industry leaders heard EEOC team headed by Chairman Roosevelt explain Title VII and affirmative action.*

Agreements Worked Out With Kaiser Aluminum and A&P

EEOC Chairman Franklin D. Roosevelt, Jr., announced the successful conciliation of a case involving the Kaiser Aluminum Company.

Roosevelt also expressed confidence that a satisfactory settlement of the first employment discrimination lawsuit filed under Title VII of the Civil Rights Act of 1964 will result from agreements now being worked out with the Atlantic and Pacific Tea Co.

Details of the A&P case are as follows:

A lawsuit was filed against A&P on behalf of Annie Brinkley who charged she was denied a job because of her race. A&P and the attorney for Mrs. Brinkley have agreed to a 90-day postponement of further proceedings in the U. S. District Court to enable the details of the agreement to be worked out.

Roosevelt was not at liberty to disclose the precise terms of the proposed agreement but he indicated that it included these points: 1. Making it easier for all persons to secure applications for employment, and 2. The establishment of permanent two-way channels of communications between the Negro community in North Carolina and the company.

The Kaiser Aluminum Case involved a complaint charging discrimination in the operation of the seniority system at Kaiser's Baton Rouge plant in Louisiana.

The settlement was worked out with representatives of the Company, and of the Aluminum Workers International and Local Union for the Negro complainants.

Details of the agreement are as follows:

Continued on page 6

Affirmative Action

The first EEOC-inspired on-the-job training program was initiated last month in Nashville, Tenn., as the result of the conciliation efforts of EEOC-staffer Ken Holbert.

The Nashville firm signed a federal training program agreement and reports that 30 trainees are enrolled. When the trainees finish training they will assume skilled jobs.

(Another training program story on page 2.)

EEOC

FEP – Federal Emory F. Via

THE UNITED STATES COMMISSION ON CIVIL RIGHTS

Washington, D.C. 20425

EQUAL EMPLOYMENT OPPORTUNITY UNDER FEDERAL LAW

CCR Special Publication—Number 5 *March 1966*

EEOC

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, D.C. 20506

May 17, 1966

As a part of its program of stimulating and encouraging greater interest within the social science community in the problems of discrimination in employment, the Equal Employment Opportunity Commission sponsored a conference on priorities in job opportunities research. A copy of the recommendations made by the ad hoc advisory panel is enclosed.

We expect that the recommendations will be considerably refined as a result of their review by government and other researchers. We welcome your comments and suggestions.

Phyllis A. Wallace

BEST COPY AVAILABLE

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
OFFICE OF RESEARCH AND REPORTS
WASHINGTON, D. C. 20506

RECOMMENDATIONS ON RESEARCH IN JOB OPPORTUNITIES MADE BY THE AD HOC RESEARCH ADVISORY GROUP FEBRUARY 2, 1966

Introduction

This report summarizes the major recommendations for research in job opportunities that were advocated by a panel of social science researchers that convened at the Commission headquarters on February 2, 1966. Recommendations submitted by Dr. Vivian Henderson, Chairman of the Jobs Panel for the Planning Session of the White House Conference (November 1965) have been included. We hope that the "consensus model" presented below reflects adequately the great diversity of ideas generated by the group.

General Recommendations

1. The Equal Employment Opportunity Commission, to the extent that it can, should encourage, direct, and shape research in equal employment opportunity in the United States. The focus of such research should be on those things which are well beyond the narrow legal powers and stated functions of the Commission.

2. Highest priority was placed by the conference on the kind of research which "pushes and pulls" the Negro through the doors which have been opened by law in some cases and in other instances opened by a new moral climate in the U. S. This research should be geared to the strategy of intervention, that is the technique of change toward certain goals. Although occasional reference was made to the status of other

minority groups, the consensus was that the plight of the Negro demanded a major commitment of resources for research.

3. Because the state of research in equal employment opportunities is very good, with considerable research now in progress, there is need for a clearinghouse. Such an operation would undertake an inventory of research completed and relate this to future research needs. This cumulative approach to research would permit us to assess the alternatives and perhaps choose more wisely the priorities for both short and long run analyses. Several advisers have urged that the Equal Employment Opportunity Commission undertake this responsibility.

4. Data already available on job opportunities have not been used very effectively. For example, data from Plans for Progress and other reports filed with government agencies have not been accessible to scholars. With allowance for the confidentiality of specific reports, a strong plea was made for making available some of the data from EEO-1. These data will provide the richest information for a whole range of studies related to equal employment opportunity.

5. Research which focuses on total opportunities in employment at the same time expands our knowledge of the specific problems of minority group employment opportunities. A study of the effectiveness of the private and public employment agencies could provide insights and information relative to problems of disadvantaged groups.

6. Establishment of national and regional research advisory councils to develop and recommend guidelines for research in equal employment opportunity and to offer advice and assistance.

Specific Recommendations

1. Negro's perception of himself as it relates to economic mobility.

(a) How does the disadvantaged individual envision himself?

(b) What kind of image does he have of the world of work?

(c) What effect has self-image on employability? On job preparation?

(d) What is the source of the Negro's aspirations for certain occupational fields?

(e) What happens to discourage or blunt the achievement syndrome? What psychological factors prevent minority group members from taking advantage of opportunities?

(f) How can we best achieve speedy and effective modification of patterns of behavior?

(g) How to extrapolate from perceptions and attitudes toward desired behavior? How do we create an affective environment characterized by psychological incentives?

(h) We need to know much more about the job-seeking behavior of minority group members and this means talking to Negroes themselves.

(i) While self-image is of particular importance for minority and disadvantaged groups, it is also a problem for members of the white affluent majority.

2. Functioning of the labor market

(a) What are the entry points into job markets? More needs to be known about the routes of entry into jobs through both the formal and the "outlaw" mechanism.

(b) How can more effective bridges be built between vocational education on one hand and changing job markets on the other?

(c) Opportunities to mobility are associated very much with the informal network. There is need to know more about the anatomy of informal channels of job-seeking and job-finding. How does the Negro fit into the informal network?

(d) What are the structural and community processes which help the individual to enter the labor market and get his first picture of it?

(e) What does the community offer minority groups in terms of education, training, and more adequate social life that will enable him to compete in the job market?

(f) It may be a propitious time to do research on the functioning of the employment service. The response of the Secretary of Labor to proposals in the task force report on the Public Employment Service indicates that research on how best to shape that institution is needed.

3. Employer's role (Research on unions not seen as promising at this time).

A. Employment procedures

1. There is need to explore the relationship between

hiring criteria being applied, especially tests, and job requirements.

2. Are the initial check points established by the employer relevant to what he requires later?

3. Should standards be adjusted to the kind of work force available?

4. What functions do tests serve? We ought to know more about the criterion side when we start examining the validity of our selection procedures.

5. What is to be done about tests that eliminate minority groups? Would a more persuasive device for private employers be a documented study on the validation of federal government civil service tests?

B. Employer's Attitudes

1. What shapes the attitudes of employers?

2. Why are some industries moving ahead of others in complying with the law?

3. Is a company's pattern of nondiscriminatory employment related to whether it operates in a consumer-oriented industry, or whether it is concerned with projecting its image? What are the other factors?

4. How can the jobs be made easier for employers who want to comply and are frightened? What supportive assistance is available?

5. Specifically, what is the potential for wielding influence in the South? We may need to examine expanding employment patterns in state and local government, the

effect of pressures generated by voter registration, as well as the impact of accelerated industrialization in the South.

4. Evaluation of present programs

(a) What has been the impact of programs carried on thus far in training and job development?

(b) What are the costs of special educational programs for disadvantaged children and what are the social economic returns?

(c) What are the implications of achieving full employment in various ways? What about the price increase threat to further reductions in unemployment rates?

Respectfully submitted,

Phyllis A. Wallace

Phyllis A. Wallace, Moderator

APPENDIX

CONFERENCE ON PRIORITIES IN JOB OPPORTUNITIES RESEARCH
February 2, 1966 at 9:30 A.M.
1800 G Street, N. W., Washington, D. C., Room 1230

PARTICIPANTS

Dr. Alan Batchelder
Kenyon College

*Dr. Kenneth Clark
Social Dynamics Institute of
The City University of New York

Dr. John Coleman
Associate Director, Ford Foundation

Dr. Frances Cousens
Director of Wayne State Porject

*Dr. John T. Dunlop
Harvard University

Dr. Louis Ferman
Institute of Labor and Industrial Relations
University of Michigan

Dr. John Hemphill
Educational Testing Service

Dr. Dale Hiestand
Columbia University

Dr. Hylan Lewis
Department of Sociology
Howard University

Dr. Felix Lopez
Manager of Manpower Planning
Research Division
Port of New York Authority

Dr. Herman Miller
Special Assistant to
Assistant Director
U. S. Bureau of the Census

Dr. Herbert Northrup
Wharton School of Finance
Department of Industry
University of Pennsylvania

Dr. Harold Sheppard
The W. E. Upjohn Institute
for Employment Research

*Dr. Arnold Weber
Graduate School of Business
University of Chicago

Dr. Max Wortman, Jr.
College of Business Administration
University of Iowa

Dr. Preston Valien
U. S. Office of Education

*Unable to attend conference but have corresponded with this office concerning priorities in research.

June 10, 1966

Mr. Ben Segal
Equal Employment Opportunities
Commission
Washington, D. C.

Dear Ben:

Did Vivian get a chance to talk with you about the Fisk Institute before he left Washington? I hope so. He and I talked and were both agreed that we very much wanted to make use of you during the Fisk program.

Unfortunately, I had given you the wrong dates. The Institute starts on June 26. This means that the time that I will be teaching will be from July 3 through 9. As I recall, this was the time when it would suit you best to be with us.

Could you let me know soon as to which days you would be available? If Vivian has not already taken care of the other arrangements for getting you to Nashville, between us we will do so shortly.

It was good to have seen you in Washington and I trust we will be together at Fisk.

Best wishes to Lib and family.

Sincerely,

Emory F. Via
Director
Labor Program

EFV:jb

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

newsletter

from the Equal Employment Opportunity Commission

1800 G St., N.W., Washington, D.C. 20506

VOLUME 1, NO. 4 MAY-JUNE 1966

NEWPORT NEWS LANDMARK PACT

Shipyard Case Opens Many New Opportunities

EEOC ARCHITECTS *of the Newport News agreement are, left to right, Alfred Blumrosen, conciliation chief, Kenneth Holbert, conciliation officer, and Herman Edelsberg, executive director.*

The nation's largest shipbuilder has signed an agreement with the Equal Employment Opportunity Commission to provide broad new promotion opportunities for Negroes.

The Newport News Shipbuilding and Drydock Company signed the agreement after six days of intensive negotiations at Commission headquarters in Washington. Representatives of the Department of Defense and the Department of the Navy joined with Commission conciliators in shaping the agreement.

The agreement grew out of employment discrimination charges filed with the Commission by 41 Negro employees under Title VII of the Civil Rights Act of 1964. The Commission had determined reasonable cause to believe Newport News was violating Title VII. The Departments of Labor and Navy also had determined that Newport News was not in compliance with the Executive Order dealing with Federal contracts.

Under the agreement, an outside expert, approved by the Company and the Commission, will evaluate jobs and pay rates in the Newport News plant to determine whether Negroes are being paid the same rates as whites doing the same or substantially equivalent work. Where it is determined that Negroes are being paid discriminatory rates they will be immediately raised to equivalent levels with whites.

A survey of key departments will be made to determine the promotion pattern of whites over past years. The history of Negro promotions will be compared to the white promotion profile and where Negroes have not progressed accordingly, they will be promoted immediately.

At the time of the agreement, Commission Chairman Franklin D. Roosevelt, Jr., said:

"One effect of this agreement will be an increase in pay for hundreds of Negro employees at the Newport News plant. It will also mean widespread promotions for Negroes. An even more far reaching effect will be the application of this agreement as a model for the correction of discrimination in other industries by the Equal Employment Opportunity Commission. In this case, the government spoke with one voice."

The package of remedial programs which the company and the Commission developed was described by Roosevelt as being "not a grudging agreement to stop discriminating, but a model of comprehensive affirmative action to reach and counteract the effects of prior discriminations."

Secretary of Labor W. Willard Wirtz said: "The successful completion of these negotiations resulted from a concerted government effort to make equal employ-

Continued on page 11

SPECIAL ISSUE—The First Year—pages 2-11

EEOC

Segal
EEOC

REMARKS BY

BEN D. SEGAL
Director, Office of Liaison
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Presented at

23rd ANNUAL INSTITUTE OF RACE RELATIONS

DATE: July 7, 1966

PLACE: Fisk University
Nashville, Tenn.

CRISIS IN THE CITIES AND EQUAL EMPLOYMENT

It is not often that I am taken aback by a newspaper account of progress in the civil rights area, but a recent story in the New York Times had just that reverse effect on me. The story disclosed, a little triumphantly, I felt, the fact that the Acting Police Commissioner of Baltimore had last month directed his men to address all citizens as "Mr. or Mrs." and to "avoid the use of 'wop, nigger, boy or girl'". Any policeman who would not follow his order, he said, should resign immediately.

I was struck by this bit of news because I felt it was characteristic of so much that is wrong in urban America. Here we are in the summer of 1966, mindful of the high unemployment level and the equally high level of bitterness pervading the ghettoes of some 30 to 40 big cities, wondering which city will

next be shattered by an explosion of pent-up hate, fear, resentment and despair. Baltimore, with its non-white population of 43% and a Negro unemployment rate more than double that of the white work force, is one of these cities.

Yet, two years after the 1964 Harlem riots set off a series of similar explosions in seven other cities, and less than one year after the first riot in the Watts Area of Los Angeles, the police force of Baltimore had to be ordered to treat Negro and Italian citizens with respect.

I believe this tells us more than the well-meaning Acting Police Commissioner intended for us to infer. It tells us in unmistakable terms how the police of so many cities are accustomed to deal with members of minority groups. It tells us how late -- how very late-- comes the recognition that it must be corrected. It is symbolic of the denial of dignity which the Negro and other minorities have suffered at the hands of the white establishment. And, it is symbolic of the slowness of today's cities to understand and move decisively against the ills which, taken together, constitute what we call "The Crisis in the Cities."

It is probably because of this chronic refusal to anticipate a developing crisis and then to act to avert it, that our major metropolitan areas are being shaken by problems which were being predicted and might have been headed off two decades ago.

As we look back, we can see that four inexorable developments which were becoming visible in the years immediately after World War II have created our present situation:

First: Rural Americans were moving to the cities at an increasing rate. A century ago, our country was one-fifth urban; by 1920, it had become half rural, half urban; and today, two-thirds of us live in the cities. By the year 2000, however, 85% of our population will be concentrated in metropolitan areas which by that time will have grown over into super-metropolises. Visualize the problems of interlapping jurisdictions that are certain to plague a single population mass that extends from Boston to Baltimore, for instance.

Secondly, the postwar baby boom was certainly going to intensify the cities' problems as these youngsters deluged inadequate school systems and flooded the job market.

Thirdly, it was clear to all who cared to see two decades ago that the segregation and job discrimination which met the Southern Negroes on their arrival in the big cities were certain to create a Frankenstein monster which would haunt the nation forever. By foreclosing the Negro from all but the most menial jobs and by sentencing him and his children to live out their lives in the decaying center of each city, society prevented him from following the course which all white immigrants to the city had taken. It barred him from moving up the economic ladder and out of the congestion of the slum. Thus, we have today the problem of the growing ghetto.

The fourth development is that of the flight to the suburbs of the white middle-class families, thus removing from the hard-pressed city its major source of much-needed community leadership and tax revenue. As the people with the dollars ran off to the suburbs, business followed the dollar -- hence the trend of business and industry moving to the outlying suburban areas, industrial parks, etc. -- with the result that the preponderance of jobs will be located outside the city.

Who, then, remains in the city? Among the whites living in the cities, the percentage of aged, poor and handicapped is very high. The dominant group in most of the metropolitan areas is coming to be the Negro, of whom 60% are under 21.

Between 1940 and 1965, 3.3 million Negroes fled the South in search of a better life. (Actually, several times this number of whites left rural areas to find jobs in the cities during this period, but because no discrimination impeded their progress, they and their children are among those who today are moving into the suburbs.)

So rapid was the Negro migration from the South that today 75% of the national Negro population is in cities, where they are still awaiting the promise that America was supposed to hold out to them. Today, they nurse despair and bitterness in crowded, dilapidated, rat-infested housing units for which slumlords can extract from them, on the average, $15 more a month than he could have from white families. In 1960, 44% of all Negro dwellings, nationwide, were substandard; it is not unusual to find units in which six to ten sleep in a room. It need hardly be pointed out that the child who emerges from this

cauldron the next morning is scarcely the world's most likely to succeed in school.

In 18 cities of the nation there are Negro populations of 100,000 or more. Washington, D. C. is the only major city to have a Negro majority; but if present population trends continue, it will be joined within the next 15 or 20 years by five other cities which will be predominantly Negro - Baltimore, Cleveland, Detroit, New Orleans and Philadelphia.

By the year 2000, again if present population trends continue, nearly every major city in the United States will have a Negro majority. What this may mean in terms of political power is unmistakable:

Negroes will be able to elect city administrations and Congressmen of their own choosing. They will gain control of the party machinery in the major cities and will wield great power within the national parties and within the councils of whatever administration occupies the White House.

Now there is nothing alarming in such change in itself -- any more than there was reason for alarm when power in some of the

great cities passed to the Irish. What must concern us are the attitudes, being forged in today's ghetto, which will motivate tomorrow's leaders.

Throughout my lifetime I have believed in and strived for a truly integrated society. That is my conviction today. However much I may understand the factors which have led to a growth of Anti-white feeling among Negroes; however much I may recognize the reasons for their rejection of the white man's gradualism or worse, his indifference -- I am still convinced that replacing white racism with black racism would be a disaster. Instead of working unitedly toward common goals, we shall be divided into two warring camps -- one inside the city, the other on the outskirts. I cannot conceive of a more destructive way to organize a new society.

Yet, this is certain to be the outcome if we fail to take decisive measures against the hate-producing life of the Negro ghetto, where generations of youngsters grow up with a bitter resentment and fear of "whitey." In their black neighborhoods and their black schools, their only encounter with "whitey" is when he appears in the form of the oppressor -- the white policeman, the white landlord, the white interviewer, the white boss.

In discussing the crisis of the cities, therefore, we are forced to dwell on the tragic condition of our minority group citizens because the solution to the cities' problems lies in how competently and forcefully we set about righting the wrongs which have been perpetrated against these citizens -- and I am referring to Spanish-surnamed Americans no less than Negroes, because although their number is fewer, the crimes against them are as persistent and as numerous.

Former EEOC Chairman Franklin D. Roosevelt, Jr., recently described the Spanish-Americans as "the most neglected, the least sponsored, the most orphaned major minority group in the United States."

Every statistic on their condition bears this out:

San Antonio and Denver, each with large Spanish-surnamed populations, exemplify the misery in which these citizens - many of whose ancestors came here two hundred years ago - continue to live.

Half the population of San Antonio is Spanish-speaking. Some 28.4% - more than one in four - of the city's residents

live on less than $3,000 a year. Compare this with a figure of 10.6% for Chicago or 13.4% for New York, both of which have sizeable Negro and Puerto Rican segments.

San Antonio has the highest number of functional illiterates in the United States - 107,000 - which is hardly surprising since the average Mexican-American child will not go beyond the fourth grade. San Antonio also has the dubious distinction of having one of the worst slums in the country. Called "Villa Coronado", it boasts of two-room hovels in which as many as 20 immigrants are housed.

Denver's population of Spanish-surnamed citizens suffers the same discrimination, although some of these families are descendents of men who served in Colorado's territorial legislature and helped in the formation of Colorado's statehood. Today, their unemployment rate is almost 10%, and fully 42% live in substandard dwellings. Only one-fourth of the Spanish-surnamed youngsters of Denver complete high school, and one-fifth go no further than the fourth grade. Spanish-sounding names have been enough to exclude them from virtually all employment except farming, while they have been barred from such public accommodations as restaurants, theaters, and barber shops. Needless to

say, enforced poverty has resulted in their having a disproportionate share of the juvenile delinquency, tuberculosis and public welfare dependency.

Whether the victims are Spanish-surnamed or Negro, this type of decay in the cities results in what President Johnson described as " ...the tragic waste, and indeed, the chaos that threatens where children are born into the stifling air of overcrowded rooms, destined for a poor diet, inadequate schools, streets of fear and sordid temptations, joblessness and the gray anxiety of the ill-prepared."

Let us take stock of these ills in the context of our national condition: In general, our national economic indicators are at an all-time high: There are more jobs, more profits, fewer bankruptcies; greater Gross National Product, greater business expansion and greater average incomes than ever before.

It is true, also, that Negroes have partaken to some extent of this affluence: Economic growth and state, local and federal efforts to eliminate discrimination in employment have boosted the number of Negroes employed from 6.4 million to 7.7 million in the past 10 years - - faster than the growth rate for white workers.

Non-whites made exceptional progress in teaching jobs and in such white-collar occupations as postal clerks or telephone operators. Even in the traditionally-segregated crafts, non-white employment increased from 4 to 5.6%.

However, despite this progress, Negro unemployment is still twice the national rate -- 7.6% compared to the national average of 4%. Almost one out of every five Negro young people, age 16 to 21, is out of work and out of school. At the close of last year, two out of five college-trained Negroes were working, not in the professions for which they were educated, but in blue-collar or farm jobs. Viewing the situation, ghetto by ghetto, we encounter even more terrible statistics: In the Watts Area of Los Angeles, unofficial figures indicate that 25% to 35% are unemployed; in Oakland, 15% are jobless, with over 30% of the Negro youth unemployed. In Baltimore, the Negro jobless rate is 8% -- more than twice the white rate.

As bad as these figures are, they, nevertheless, grossly understate the problem. They do not include the many under-employed or the millions who, in despair, have dropped out of the job market, who have just given up. If these members of the work force were included, it is estimated that the true unemployment rate among Negroes would be 12%.

Nor do the figures indicate the real conditions of those who are classed as employed, but whose drudgery-filled jobs pay so little that they remain in poverty, often required to "moonlight" or to seek welfare assistance. While the rest of the nation was enjoying increasing affluence between 1960 and 1966, the median family income in the Watts Area actually fell $800. That segment of our big cities' population which has remained untouched by the general affluence is so substantial that half of all non-white families still live on or below the poverty line. The median income for Negro families is only 56% that of whites.

The Nation's Capital, with 63% Negro population, offers us a view in microcosm of all the problems now plaguing or soon to plague each of the big cities with expanding ghettoes.

Until very recent years, Washington was a rigidly-segregated city -- to the extent that it maintained a dual school system, one for Negroes and one for whites. Following the Supreme Court's school desegregation decision, the Washington schools were integrated, and the city "discovered" for the first time that Negro students were suffering an achievement lag of several years behind white students. This educational lag is now reflected in Negro unemployment statistics:

The District of Columbia is an area of low unemployment -- the rate is 2.1%. That percentage, however, represents 17,000 unemployed men and women - 75% of them non-white.

These constitute the hard-core unemployed -- the ones who are underskilled, unskilled, under-educated, under-trained and untrained. Many have an additional strike against them: they have arrest records. In one neighborhood center, 85% of the males and 10% of the females (among 5,100 interviewed for jobs) were found to have arrest records. Virtually all were barred from employment because no adequate distinction is made between arrest, conviction and prison records.

The requirement of a high school diploma, even for jobs which may not require this much education, hinders many non-whites, for the dropout rate is high.

Tests for employment -- which more often reflect the individual's absorption of a white culture than they do the individual's capacity to do a job -- block many other Negroes from jobs.

Like many other cities, Washington has ordinances prohibiting discrimination in housing and in hiring; but, obviously, something more aggressive is needed now.

Industry and those in charge of apprenticeship training programs need to be convinced that the situation requires more than token adherence to the law; it requires a policy of deliberate hiring, of deliberate seeking-out of the Negro; it may also require special training or a waiving of prerequisites which may not be relevant to the job.

The difficulty of finding jobs for the Negro in the center of the city is further complicated by the flight to the suburbs of industry and new business enterprises. In the Washington area, according to the Employment Service, 63.7% of the construction jobs are now in the suburbs; 52.2% of those in trade; 49.7% of the jobs in manufacturing; 49% of the jobs in finance, insurance and service, and 38.9% of those in transportation, communications and utilities. Virtually all other big cities are experiencing the same loss of jobs.

The city which produced the ghetto now must more aggressively find solutions to the evils created by the ghetto. It must eliminate the poor schooling and stunted motivation imposed on each victim of disadvantage. It must recognize that poverty and segregated housing patterns breed crime, violence, illness, dope addiction, alcoholism and hopelessness. It cannot turn

away from the fact that segregated housing patterns also breed de facto school segregation and, invariably, inferior schools.

Although 17 states now have fair housing statutes, very few are seriously enforced. The NAACP last year undertook to break the pattern of discrimination in real estate selling by filing antitrust suits against the Akron, Ohio Area Board of Realtors and against the Board of Realtors in Trenton and Mercer County, New Jersey. More than 1,000 fair housing organizations have been formed, working to open up the suburbs as well as the city to minority group members.

These are problems whose solutions will require the combined efforts of private groups and government agencies. Such cooperative activity might well be mobilized around the many far-reaching recommendations adopted by the recent White House Conference "To Fulfill These Rights", as well as the Administration's trail-blazing Demonstration Cities Program.

Among these conference proposals is the establishment of Metropolitan Job Councils in each urban community with a substantial Negro population. Representatives of business, unions, all levels of Government and community organizations would work

together to gather information on the characteristics and needs of minority group members and then to assign responsibility for meeting those needs.

The councils would develop a system of periodic reports for employers in the area to identify job opportunities and training possibilities for Negroes and would undertake the task of fitting the jobless for these openings.

Also proposed by the Conference were:

* A large-scale government-financed program of public works which would provide immediate jobs for Negroes at their present levels of skill.

* Year-round employment, training and counseling programs for minority youth, as well as a federalized employment service.

*Affirmative actions by private employers, labor unions and government to provide more and better jobs.

* The strengthening of all programs which protect workers' incomes, including minimum wage, unemployment compensation; and extension to farm workers and others of the protection of the right to organize.

* Establishing of national standards for public assistance programs.

* Improvement of schools and reduction of racial concentration within them.

In seeking solutions, we should add to these proposals those which would provide the broad physical and social face-lifting that the President envisages in his Demonstration Cities legislation. "I propose," he declared, "a demonstration cities program that will offer qualifying cities of all sizes the promise of a new life for their people.... I propose that we focus all the techniques and talents within our society on the crisis of the American city."

If approved by Congress, such projects would establish, not only low- and middle-income housing (replacing blighted areas) but also schools, parks, playgrounds, community centers and access to all necessary facilities including health and transportation facilities.

There will be those who will complain about the cost of total renewal and the discomfort of eliminating segregated housing,

but they must be told of the cost of not taking these steps. Los Angeles, for instance, spends $1.87 in police services and $2.25 for health services in the blighted areas for each dollar it spends in the economically favored areas. Louisville, Kentucky, spends twice as much in the poor areas. The experience is the same in all large cities with the result that metropolitan areas suffered a per capita rise in expenditures of 36% in the years of 1960 to 1963 -- at a time when their tax base was shrinking.

In varying degrees, every major city is now the scene of numerous governmental and private programs designed to alleviate the problems I have mentioned. Some community leaders bring to the problem more understanding than others, however. The police department's relations with the Negro and Spanish-American communities offer a case in point:

Although incidents involving police have served as the spark which set off virtually all of the riots of the past two years, reflecting the Negroes' and in some cases the Puerto Ricans' bitterness toward the police, few big cities have accomplished very much in the way of improving this relationship.

There are now under way many efforts to alleviate the situation in the most poverty-stricken areas: California has established 12 Community State Service Centers in blighted areas where the poor can find, under one roof, access to all the services the community offers: job and family counselling; training; information about educational possibilities; job referrals; health and welfare services, etc. The Watts Center has registered over 13,000 people and has placed 1,400 in jobs thus far.

Oakland, which is likewise the scene of a large body of jobless non-whites, will have such a center when the state budget is approved. Also going forward in Oakland is the effort by local, state and federal agencies to develop industry, promote the hiring of minority group members, provide desperately-needed housing and renew the areas of blight.

In Philadelphia, attention has recently been focused on the Rev. Leon Sullivan, who has established eight Opportunities Industrialization Centers for people in need of job training. Dotting the poor neighborhoods and manned by residents of the area, the OIC project was financed by businessmen whom Rev. Sullivan inspired, as well as by a grant from the U.S. Department of Labor. No

applicant is turned away, and all seem to be infused with the minister's evangelical message that success awaits each one who tries. Some 1,500 trainees have already been placed in jobs; an additional 1,700 are now in training; and 6,000 are on the waiting list. OIC trainees are now working at such companies as RCA, Philco, General Electric and Budd. Once they were called "unemployable."

Efforts to stamp out job discrimination will need to be reinforced by a strengthened Equal Employment Opportunity Commission, which requires greater enforcement power to be truly effective, and by stronger, better-financed state and local Fair Employment or Human Relations Commissions.

Sporadic, uncoordinated programs in each community to stimulate economic development, train people for existing jobs, provide decent, low-cost housing, establish good schools and a wholesome environment for every child -- all these will have to coalesce into one thorough-going plan with total renewal as the goal, if we are to succeed.

In this massive effort, no community can afford the exclusion of groups whose philosophy is at variance with "the establish-

ment." On the contrary, it is already apparent that the college-bred social worker or government agency representative is regarded with suspicion and thus cannot establish a dialogue with those most in need of being motivated.

I am convinced that this gulf, in so many instances, can be bridged only by leaders who are themselves products of the ghetto, who speak the language of the disadvanted, who can command the confidence of the wary. Many of these leaders are volatile youngsters, themselves embittered and in search of a proud Negro identity. Their varying expressions of anti-white feeling have created a split within the civil rights movement and a greater alienation, if that is possible, from the so-called "establishment," of which human relations commisions are a part.

I believe that we shall have to gain the cooperation of these angry young men and women, and that it is incumbent on us to actively seek their cooperation. Failure to do so will close to us one of the most important avenues of communication with the poor.

We cannot afford to do less than involve every segment of the community in this effort to save our cities and reclaim lives.

To quote from the President once more:

"If we stand passively by, while the center of each (city) becomes a hive of deprivation, crime and hopelessness; if we devour the countryside as though it were limitless, while our ruins -- millions of tenement apartments and dilapidated houses -- go unredeemed; if we become two people, the suburban affluent and the urban poor, each filled with mistrust and fear one for the other... then we shall effectively cripple each generation to come."

# # # # #

~~Testing~~
EEOC

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, D.C. 20506

September 14, 1966

AIR MAIL

Mr. Emory F. Via, Director
Labor Program
Southern Regional Council
5 Forsyth Street
Atlanta, Georgia 30303

Dear Emory:

I thought you might be interested in the enclosed copy of the Commission's Guidelines on Testing Procedures which we discussed at the end of the Apprenticeship Conference.

It was good to see you again.

Sincerely,

Winn

Winn Newman
Assistant to the
Executive Director

Enclosure

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, D.C. 20506

October 12, 1966

Mr. Emory F. Via
Director
Labor Program
Southern Regional Council, Inc.
5 Forsyth Street, N. W.
Atlanta, Georgia 30303

Dear Mr. Via:

I am answering your letter of September 15, 1966, addressed to Dr. Phyllis Wallace. Thank you for sending a copy of New South.

At the present time I am in the process of completing the inventory of research projects which in some way may be related to equal employment opportunities. Since I want to make the inventory as current as possible, I would appreciate your sending me a list of new research projects which your organization has funded during 1965-1966.

Thank you for your cooperation in this matter.

Sincerely yours,

(Mrs.) Betty R. Anderson

Betty R. Anderson
Analyst, Office of
Research

October 21, 1966

Mrs. Betty R. Anderson, Analyst
Office of Research
Equal Employment Opportunity Commission
Washington, D. C. 20506

Dear Mrs. Anderson:

In answer to your letter of October 12, 1966, we do not have any research project for the period 1965-1966 which relates to Equal Employment Opportunity.

We certainly look forward to seeing your inventory of research when it is ready.

Sincerely,

Emory F. Via, Director
Labor Program

hj

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, D.C. 20506

1800 G Street, N. W.-Room 1229

E.S.
P.A.
return to EU

October 24, 1966

Mr. Emory Via
Southern Regional Council
5 Forsythe Street
Atlanta, Georgia

Dear Emory:

This is a bit delayed, but I wanted to write to you about the interest of our Commission, and specifically our Liaison Office, in working with the SRC state and local groups.

I would appreciate if you, for the SRC, could send them a letter saying that our Office of Liaison for federal, state, and local agencies is especially interested in working closely with the SRC chapters. You might want to tell them that we are very anxious to work with them. Feel free to indicate that we would be happy to send them speakers, literature, and work with them in any and all ways possible.

I am sure that your judgment as to the type of letter that should be written would be better than mine on this. Thanks very much for your help on this.

Best wishes and kindest regards.

Sincerely yours,

Ben

Ben D. Segal, Director
Office of Liaison

EEOC - DEAD

November 10, 1966

Mr. Ben D. Segal, Director
Office of Liaison
Equal Employment Opportunity Commission
Room 1229
1800 "G" Street, N. W.
Washington, D. C. 20506

Dear Ben:

A memorandum has gone to each of the State Councils on Human Relations from our field director, Ed Stanfield. The memorandum repeated your offer of assistance as well as filling the director's in on your ties with S.R.C. Each of the directors now has your name and address.

Enclosed is an up dated copy of state council addresses and personnel.

Best personal wishes.

Sincerely,

Emory F. Via, Director
Labor Program

hj

Enclosure

EEOC

 Austin-American 11-13-66

American-Statesman/UPI

US EQUAL RIGHTS CHIEF IN AUSTIN

Lee Gibson Williams returns to "prettiest place"

Ex-Austinite Back In Job Rights Post

By CHRIS WHITCRAFT
Staff Writer

Job discrimination complaints under US Civil Rights legislation should be filed with two offices, local and federal, Regional Director Lee Gibson Williams of the US Equal Employment Opportunity Commission reports.

Williams, general counsel for the Texas Employment Commission in Austin from 1938 to 1958 and until December last year with the US Department of Labor, has offices on the ground floor of the federal building.

He said complaints should be filed with the local Austin Citizenship Corp. of which Rev. John Barclay is chairman, and with the federal office.

Williams said the reason for filing with the federal office is to protect the person complaining from losing his legal right to take the matter to federal court. He has to report to the federal office within 90 days of any discriminatory act to keep open his access to court action under the law.

Attorney Thomas T. Smith, executive for the Austin Equal Department. He succeeded first chairman F. D. Roosevelt Jr.

Vice chairman is Dr. Luther Holcomb, president of the Dallas Council of Churches.

"EEOC's policies are designed to help the total business, industry and civic leadership of a community exert a common equal employment opportunity effort," Shulman told the Greater Pittsburgh (Pa.) Chamber of Commerce the other day.

Shulman asked the nation's business community "to accelerate action to expand job opportunities for minority group members in an effort to help solve the growing racial crises in our cities."

He urged local community councils for equal employment opportunities to make special recruitment efforts, take a new look at testing and educational requirements to assure they are actually related to on-the-job performance, expand on-the-job training programs, and re-evaluate standards for entry jobs to help qualify minority applicants.

Williams once ran news copy to linotype operators for the

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Attorney Thomas T. Smith, executive for the Austin Equal Citizenship Corp. with offices in the Capital National Bank building, and Williams said they are working together to make sure both offices protect the legal rights of anyone complaining.

Williams said he congratulates those Austin citizens responsible for establishing the corporation. He said he heartily approves of the settlement of local problems at the local level. He said the corporation serves a commendable purpose.

Williams said 52 per cent of the complaints filed with the US commission in the last six months have charged sex discrimination.

Williams said two out of three cases are settled by conciliation. About 400 cases have been investigated in the nation this year.

The only "teeth" in the Civil Rights law as penalty for violation of the ban on discrimination belong to the complaining parties who can go to federal court for redress, Williams said. Federal attorneys handle the cases.

The Austin office moved from Dallas where it first opened in January. It has a staff of seven professionals and three secretaries.

Other regional offices are in Chicago, New York, San Francisco, Atlanta and Cleveland. Area offices are in Albuquerque, New Orleans, Los Angeles and Kansas City.

It is part of the Commission's job, Williams said, to give technical assistance which communities might seek in trying to end discrimination.

He said some big business firms in Texas have done more than comply with the law. They have actively recruited minority workers and found many employes with potentials and skills that "have been overlooked and disregarded too long."

Chairman of the US EEOC in Washington is Yaleman Stephen N. Shulman who got his law degree at Harvard. He had been a general counsel for the Air Force in the Defense

Texas Council of Churches.

"EEOC's policies are designed to help the total business, industry and civic leadership of a community exert a common equal employment opportunity effort," Shulman told the Greater Pittsburgh (Pa.) Chamber of Commerce the other day.

Shulman asked the nation's business community "to accelerate action to expand job opportunities for minority group members in an effort to help solve the growing racial crises in our cities."

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Williams once ran news copy to linotype operators for the Austin newspapers. He was born in Alexandria, La., in 1907, but moved to Austin with his family seven years later and grew up here. His father, O. G. (Bill) Williams was a linotype operator for the papers until he quit to form the still-existing Capital Printing Co. with the late Ed Harrell in 1929. Williams senior died in 1955.

Harrell's widow continues as president and owner.

The new EEOC regional director has bachelor, master and law degrees from the University of Texas. He has worked for the US Labor Department at Washington since 1958 in many capacities. These included foreign assignments in Italy during World War II occupation, and two missions to Formosa.

Williams has specialized in labor legislation and administration, policy planning, employment security agencies, and equal jobs opportunity.

He and his wife, the former Mary Louise Skelley of Austin, have bought the home of Dr. C. M. Cleveland, retired UT mathematics professor, at 210 Buckeye Trail. A daughter, Mrs. William H. Clark, lives in Dallas.

"We're so crazy about our new home we don't know what to do," Williams said. "It has a view of all Austin. It is the prettiest place in the world."

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

information

from the Equal Employment Opportunity Commission

1800 G St., N.W., Washington, D.C. 20506

FOR RELEASE SUNDAY PAPERS November 13, 1966 Phone: 343-5621 EEOC

Despite concerted efforts of Federal, state and local agencies to put an end to job discrimination, only minimal gains have been made by minority group workers, according to studies directed in 11 states and the District of Columbia by Wayne State University for the Equal Employment Opportunity Commission.

Commenting on all the studies, EEOC Chairman Stephen N. Shulman said:

"Although it is true that many companies have advanced during recent years, from a policy of outright discrimination against non-whites to one of token hiring, it is disconcerting to note the scarcity of employers who have progressed beyond this point.

"Both the findings and the recommendations contained in each state or local commission's report and in the summation written by Dr. Frances Coumens of Wayne State University, who directed the project, confirm the conviction held by the EEOC that the Federal law's stated purpose of achieving equal employment opportunity for all Americans will not be realized without affirmative efforts by Federal, state and municipal commissions in cooperation with employers and community groups."

The Wayne State studies, conducted by state and local fair employment practices commissions, were made in the following states and industries:

District of Columbia	Banking, Savings & Loan and Insurance Institutions
Louisville, Kentucky	Manufacturing, Transportation, Retail & Wholesale and Banks
Massachusetts	Railroads, Buses, Taxis, Trucking, Airlines

EEOC

Missouri	Hotels, Motels, Restaurants, Public Utilities
New Jersey	Public Utilities
New York City	Retail Establishments
Ohio	Machine Tool and Glass
Wisconsin	Brewery and Other Manufacturing
Philadelphia	Hospitals
Michigan	Apprenticeship Programs of Building Trades

One study, conducted by the California Fair Employment Practice Commission, concerned the use of tests by industry. This study rated most of the tests "poor" as an indicator of an applicant's ability to perform a specific job, found only three companies (all large) whose testing practices could be rated "good", and considered none "superior."

Among the 553 companies studied, employing more than 386,000 workers, Negroes were found to comprise 9.7 per cent of the total. This was a smaller share of the jobs than is the Negro's percentage of the workforce in all but three of the areas surveyed. Except in Boston, New Jersey, and Milwaukee the Negro share of the metropolitan area workforce ranged from 10.9 per cent to 49.8 per cent.

The findings also showed that even where progress in employing Negroes had been made, they and other minority groups were confined to the lowest paying and most menial jobs.

Data showed that employers who make the effort to recruit nonwhite employees succeed in finding qualified applicants, but only 40 per cent of those questioned say they have taken any such measures. Furthermore, 91 per cent say they have no plans to change their present employment practices. Without affirmative efforts to open up employment opportunities for minority group workers, existing equal employment statutes will continue to have little impact on the present pattern, the report predicts.

"It is our hope," stated Shulman, "that each of the 11 state and local commissions which participated in these studies will use the information about their areas as the basis for a spirited affirmative action program to achieve a substantial increase in the number of job opportunities for Negroes."

(Those interested in individual reports should contact the state or local fair employment practice agency.)

EEOC

OFFICE OF RESEARCH AND REPORTS
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
1800 G Street, N. W.
Washington, D. C. 20506

THE EEOC DOCUMENT AND REFERENCE TEXT (DART)

William H. Enneis
Phyllis A. Wallace

Research Report 1966-12
December 21, 1966

FOREWORD

This report describes the Document and Reference Text (DART) of the Equal Employment Opportunity Commission. The Institute of Industrial and Labor Relations of Wayne State University, Detroit, Michigan will undertake a comprehensive search of materials on employment among minority groups. The catalogue prepared for the study will serve as a major reference document for the entire social science research community.

DOCUMENT AND REFERENCE TEXT

I. PURPOSE

The purpose of the work described herein is the collection, compilation, and publication of a list of published and unpublished books, articles, documents, manuscripts, charts, tables, abstracts, indexes, and bibliographies related to, but not in all cases limited to, the economic, sociological, psychological, legal, and political aspects of employment among various minority groups in the United States. The end product of this work shall be the Equal Employment Opportunity Commission Document and Reference Text, hereafter referred to as DART.

II. SCOPE

A comprehensive search of the materials above shall cover the following six characteristics of workers in the United States:

A. Negroes

B. Spanish-speaking, including Puerto Ricans and Mexican Americans

C. American Indians

D. Orientals

E. Religious affliation

F. Women

The review and inclusion of materials covered in categories (A) and (F) above, shall be limited to documents produced or published during the years of 1940-1966, inclusive. The review and inclusion of materials covered in categories (B), (C), (D), and (E) above, shall be limited to documents produced or published during the years 1956-1966, inclusive.

Under categories (A) through (F), above, the contractor shall use the following subjects as guidelines for determining the relevance of a document (item) that is to be included in the DART:

1. Recent trends in employment (by subject category)
2. Economic status (by subject category); wage differentials
3. Labor force characteristics: occupational patterns and labor force participation
4. Unemployment (structural, etc.)
5. Underemployment
6. Job mobility
7. Migration patterns
8. Fringe benefit programs (pension plans, insurance schemes, maternity benefits, etc.)
9. Welfare programs
10. Income maintenance (negative income, guaranteed minimum income, etc.)
11. Investment in human capital
12. Civil rights movement and minority group employment
13. Poverty (rural and urban) and minority group employment
14. Living standards (family, child welfare, etc.)
15. Explanations of minority group disadvantagement in employment
16. Impact of automation and technological change
17. Prospects for minority group employment in the future
18. Private efforts to promote equal employment opportunity: case studies of particular companies and industries--strategies and techniques

19. Governmental efforts to promote equal employment opportunity: legislation; contract compliance; voluntary programs, etc.
20. Social-psychological problems faced in employment: alienation of minority group member from job environment; unfamiliarity with job milieu; lack of job readiness; poor response to employment testing, etc.
21. Union practices and minority group employment: case studies of particular unions and union types
22. Industry and regional studies related to equal employment opportunity
23. Training (MDTA, employer financed, educational techniques, etc.)
24. Employment testing and other selection procedures
25. Seniority and promotional systems
26. Education and minority group employment
27. Residential patterns vs. industrial, manufacturing, and business locations in relation to employment opportunities for minority groups
28. Vocational guidance and counseling
29. Health problems and employment
30. Juvenile delinquency and crime
31. Recruitment practices
32. Employment agencies
33. Sociocultural environment (e.g., the influence of community institutions and institutional barriers to the preparation of Negroes for work; work values and vocational aspirations)

III. PERIOD OF PERFORMANCE

The period of performance of this work shall be from January 1, 1967 to July 31, 1967.

IV. REPORTS

The contractor shall submit three bi-monthly reports detailing the progress of work and funds expended to date. The third bi-monthly report shall be titled Final Report--EEOC Document and Reference Text. This final report shall be a self-contained and self-explanatory account of all work performed in preparation and production of the DART.

V. DETAILED REQUIREMENTS

A. Number of Items

The DART shall reference no less than six thousand (6,000) separate and distinct items (documents). Two or more separately bound or printed parts or volumes of one work shall constitute only one document, unless the separate parts or volumes carry different titles.

B. Content of the DART

The Document and Reference Text shall contain the following distinct sections:

1. Table of Contents
2. Introduction - This section shall include explanations, with illustrative examples, of how the DART is to be used.
3. Abbreviations and Symbols - Abbreviations shall be alphabetized, and the full English equivalent of each shall be given. Arbitrary symbols that are substituted for conventional punctuation marks shall be listed, along with the substitution equivalent.
4. Suppressed Words and Symbols - All names, words and symbols that are prevented from being indexed in the Keyword Index shall be listed alphabetically. No names, words, or symbols shall be suppressed in the Personal Author or the Institutional Author Indexes or in the Bibliography.

5. Keyword Index - This index shall assume the format of the typical alphabetized Key-Word-In-Context (KWIC), that is, permuted title, index. The title of each document shall appear for each significant or key (non-suppressed) word or name in the title. Keywords shall appear in alphabetical order in the center column of successive pages.

   Each entry, that is appearance of a title, shall contain all words in that title, even though some of the words may be prevented from indexing in the center column.

   Each entry shall contain, directly opposite in the margin, a unique identification code that permits: (1) rapid entry and identification of that item in the Bibliography and (2) updating and additions to the DART without the occurrence of duplicate codes.

6. Personal Author Index - The title of each document shall appear once under the last name of the personal author. An item with multiple authorship shall be included under the listing of the first author only, although names of the other author(s) must be printed out. Names of authors shall occur

in alphabetical order and shall be set out to the left of the main text for easy reference and identification.

If a document has no personal author given, the institutional author shall serve as the substitute for personal author. Thus, the title of each document must occur once, but only once in this index.

7. Institutional Author Index - An institutional author is applicable when:

   a. there is no personal author associated with the document. Examples are anonymous newspaper and magazine articles, corporate reports, and government agency publications.

   b. a company, agency, or other group was the primary executor of research or work reflected in or by the document. Examples are:

      (1) a report produced by the RAND Corporation for the U. S. Air Force. The institutional author is the RAND Corporation.

      (2) a report carrying a personal author designation but written or produced under the aegis of a company, government agency, or other institution.

Each document title bearing an institutional author, as defined in (a) and (b) above shall appear under its appropriate institutional author. Institutional authors shall be alphabetized in this index and shall be set out to the left of the main text of titles to permit rapid identification. Each title in this index shall bear the unique identification code assigned to it.

8. Bibliography - The Bibliography must contain, for each document, the following information:

   a. Title of document

   b. Personal author (if available)

   c. Corporate author (if applicable)

   d. Publisher (or sponsoring organization) and address

   e. Name of periodical (for documents appearing as articles)

   f. Volume and page numbers (for articles in periodicals)

   g. Report or contract number of document (if necessary for positive identification)

   h. Date of publication

   i. Identification code

The sequential order of documents in the Bibliography shall be based on the unique identification codes. Therefore, this code shall appear in the left margin for each document and shall be set off from the main text so that it can be readily located.

C. Printing of the DART

The contractor shall provide the Equal Employment Opportunity Commission with one hundred fifty (150) perfect, bound copies of the printed, computer-indexed DART as specified in sections (A) and (B) of these "Detailed Requirements".

VI. APPROVALS REQUIRED

A. The contractor shall submit to the Equal Employment Opportunity Commission, before completion of the computer program, a list of all the names, words, and symbols that will be suppressed in the Keyword Index. The contractor shall not proceed with final printing of the Keyword Index until he has received from the EEOC written approval of said list, either in its original form and content or some alternative form and content.

B. After completion of the computer program, and before the information from all documents is keypunched, the contractor shall select a representative sample of one hundred (100) documents and keypunch the information in the same manner that

will be used for the remaining documents.

The information from the sample of 100 documents will then be computer processed to obtain sample copies of the Keyword Index, the Personal Author Index, the Institutional Author Index, and the Bibliography. The sample copies shall be submitted to the Equal Employment Opportunity Commission for review and approval.

After receipt from EEOC of written approval of the format and content of these samples, or some alternative format and content, the contractor shall keypunch the sample and remaining documents according to the approved method.

VII. DISTRIBUTION OF COPIES

The Equal Employment Opportunity Commission shall be the recipient of all copies, partial and complete, of the DART. Distribution of the DART, or any part thereof, shall be at the sole discretion of the EEOC. This distribution shall not be made by any person, group, institution, or agency without prior written permission from the EEOC.

VIII. KEYPUNCHED DATA CARDS

The contractor, at the completion of all other activities outlined in this Schedule of Work, shall send to the Equal Employment Opportunity Commission a complete, correct set of the keypunched data processing cards used to produce the DART. The boxes in which the cards are shipped shall be plainly and unambiguously labelled as to contents and shall be numbered serially. The order of cards within each box and from one

box to the next shall follow exactly the order of the documents as they appear in the Bibliography of the DART.

Jane

EEOC REPORTS

A CLEARINGHOUSE SERVICE
FOR BUSINESS NEWSLETTERS AND PERIODICALS

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
STEPHEN N. SHULMAN, Chairman
1800 G Street, N.W. Washington, D. C. 20506

December, 1966

LEARN-EARN PROGRAM CONCENTRATES ON INEXPERIENCED

Two hours a day in the classroom, six hours on the job, and pay for the trainees, is an unusual program to help qualify inexperienced workers for Cleveland's National Screw Manufacturing Company. Nine of the Company's present Negro employees, already enrolled in the new company-sponsored program, are potentials for advancement. More are expected to come in through newspaper and radio advertising, including spot announcements on a program with a large Negro listening audience. Goal of the drive is to increase the company's 1,100-man work force 10 percent by Christmas.

CHRISTMAS IS FOR GIVING. . .AND GETTING. . .JOBS

The American Retail Federation, in cooperation with EEOC, is reaching into minority communities in a special effort to extend the hand of welcome for the 650,000 Christmas-season jobs available. The Federation's appeal, initiated by EEOC Chairman Shulman, is directed to more than 800,000 retail establishments throughout the country to find and select applicants. Benefits include work experience as well as pay checks.

AN INVESTMENT THAT PAYS OFF

General Dynamics' Quincy (Mass.) Division is turning tax eaters into tax contributors. Since the first of the year, the company has placed 988 unskilled applicants in on-the-job training programs under Federal contracts. Cost to the Government is $730 per trainee -- an investment in human resources that brings a return in tax revenues. For informative pamphlet, write for: Employers Guide to On-the-Job Training - U. S. Department of Labor, Bureau of Apprenticeship and Training, Washington, D. C. 20210

Please order

ARE TESTS PREDICTING JOB PERFORMANCE?

Standard Oil of California is reevaluating its whole testing program following publication of EEOC's Guidelines on Employment Testing Procedures. Alfred J. Alstrom, Manager, Personnel Division, has sent copies of the Guidelines to all personnel managers throughout the country. Plan is to get together on the company's telephone communication hookup to find out what kinds of tests are being used, how they are administered, and do they really predict job performance.

CATERPILLAR TRACTOR REEVALUATING TESTS

Do personnel interviewers use tests as "crutches" -- substituting test scores for overall judgment -- in making employment decisions? Caterpillar Tractor of Peoria, Illinois is taking a corporate level look at testing procedures to find the answer to this and other questions concerning testing. First step was to declare a moratorium of 60 days on the use of all tests. While the results are being evaluated, the company has gone back to the use of tests for hard core unemployed only, but not to be used as a factor in consideration for hiring. In the words of John C. Myers, Employment Manager, "We are seeking to achieve a positive correlation between test results and job performance."

EQUAL EMPLOYMENT IS GOOD BUSINESS

Advertising Age suggests that "agencies and companies approach the recruitment and training of Negroes as a sound investment in future profits, not as an act of social justice."...The trade magazine calls for a positive and forthright move now, "to earn a share of all that the Negro has to offer. Not because it is the moral thing to do, but because ultimately, in a business sense, it is the smart thing to do."

EEOC PLANS BROAD APPROACH TO JOB OPPORTUNITIES

"With complaints of job discrimination now running about 10,000 a year, the Commission plans to emphasize broad, industry-wide efforts to open up job opportunities for minority group members and women. The Commission will continue to deal with individual complaints as fast as it can but we also hope to make great strides by attacking employment discrimination via the 'wholesale' approach -- through accelerated affirmative action programs."
-- Chairman Stephen N. Shulman, News conference, 11-18-66.

EEOC

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

information

from the Equal Employment Opportunity Commission

1800 G St., N.W., Washington, D.C. 20506

TITLE VII NEWS BRIEFS

December 1966

These are some of the things that are happening every day as the EEOC pursues its assignment to end job discrimination.

OVER-THE-ROAD TRUCK DRIVER JOBS are open to Negroes for the first time as the result of an EEOC conciliation agreement with the Federal Paper Board Company of Richmond, Virginia.

A Negro employee of Federal Paper Board, a truck driver of a tractor-trailer on in-town hauls, charged that he and other Negro drivers were not given out-of-town assignments. In-town drivers earn $1.85 an hour; over-the-road wages, including overtime, average $2.35 an hour.

Federal Paper Board agreed to offer over-the-road jobs to Negroes as vacancies open up, as well as to work with the United Papermakers and Paperworkers to provide changes in lines of job progression.

##################

BACK PAY AND LAWYER'S FEES totaling almost $4,000 - plus rehiring - went to the only Negro who worked in a soybean plant of a large mid-Western food packing company. He had charged he was fired because of his race. Just two weeks after an EEOC conciliation was signed, eight other Negroes were hired.

##################

IMPATIENCE WITH JOB DISCRIMINATION is a key message from EEOC's chairman, Stephen N. Shulman. In a recent speech, he said: "The existence of job discrimination based on irrelevancies such as race is a critical domestic problem.

(over)

The matter of eliminating it is a national imperative... The problem is clear...Let us approach it with a sense of impatience."

##########

A RECORD SETTLEMENT OF $36,700 in back pay and the re-employment of 110 women was negotiated in an EEOC conciliation under Federal court supervision.

The case was brought against a General Cable Corp. plant in Monticello, Illinois, by 58 women employees. They had been laid off because of automation -- and without regard to their seniority rights. Many of the women were principal breadwinners for their families.

##########

THE FIRST NEGRO FOREMAN is now at work in a Southern plant of a large furniture company. Since the Commission began its investigation -- and even before the conciliation was signed -- 16 other Negroes started work in 6 different departments that were previously all "white", and 19 additional Negroes were promoted.

##########

THERE IS A WAY -- where there is a will. General Dynamics in Quincy, Mass., working with community leaders, put on a "Job Opportunity Week". More than one-third of the 273 applicants were hired or held for future hires, and almost one-half were referred to a Manpower Development and Training Act (MDTA) program for job testing.

##########

"BREAKING DOWN ARTIFICIAL BARRIERS that close too many doors to our minority groups" was urged by Gardner Ackley, chairman of the President's Council of Economic Advisers. In a speech at Southern Illinois University, he highlighted racial discrimination as one of the structural problems of unemployment.

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EEOC
Hearing

Text

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, D.C. 20506

January 17, 1967

Dr. Emory Via
Director of Labor Program
Southern Regional Council
Atlanta, Georgia

Dear Dr. Via:

I am most appreciative of the major contribution you made to the success of the forum on employment in the textile industry (Charlotte, North Carolina, January 13, 1967). The Commission will probably make available at a later date the statements of the various participants. I believe that some meaningful affirmative action programs can be formulated, and we hope that all interested parties will send us their suggestions. Thank you again for appearing at the Charlotte forum and presenting your statement on employment opportunities in the Carolina textile industry.

Sincerely yours,

Phyllis A. Wallace

Phyllis A. Wallace
Acting Chief
Technical Studies

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

information

from the Equal Employment Opportunity Commission

1800 G St., N.W., Washington, D.C. 20506

EEOC Newsletter

FOR RELEASE AM's TUESDAY, JANUARY 24, 1967 Phone: 343-5621

Chairman Stephen N. Shulman of the Equal Employment Opportunity Commission announced today the appointment of Roger F. Lewis as his Executive Assistant.

Lewis joins the EEOC after serving since Feb. 17, 1965 as Special Assistant to Secretary of Labor Willard Wirtz. He had also served as Deputy Special Counsel to the President's Committee on Equal Employment Opportunity.

"I am extremely fortunate to have the services of Mr. Lewis," Chairman Shulman said. "He is a man of proven ability, top administrative experience, and sensitive understanding--all qualities vitally needed to assist me in administering the programs of the Equal Employment Opportunity Commission."

Lewis received a B. S. degree in Accountancy from the University of Illinois in 1957.

In 1960, he received a J. D. degree from Northwestern University. At Northwestern, he was Associate Editor of the Northwestern Law Review and a member of the Order of the Coif.

After graduating from law school, Lewis was named to the Attorney General's Program for Honor Law Graduates and served as an attorney in the Antitrust Division of the Justice Department.

In November 1961, he was appointed Confidential Assistant to Secretary Wirtz who was then Under Secretary of Labor. When Mr. Wirtz was named Secretary of Labor in 1962, Lewis became an Assistant in the Office of the Secretary.

A native of Chicago, Illinois, Lewis is 30 and single.

67-3

##########

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, D.C. 20506

JAN 26 1967

IN REPLY REFER TO:

Dr. Emory F. Via
2255 Lanox Road, N. E.
Atlanta, Georgia

Dear Dr. Via:

This note expresses the deep appreciation of my fellow Commissioners and myself for your excellent participation and cooperation in connection with our Textile Employment Forum. From all reports, it appears the Forum was a constructive effort. We are studying the record and will have our follow-up proposals in order very soon.

You will hear from us as our plans develop.

Again, thank you for your interest.

Sincerely yours,

Stephen N. Shulman

Stephen N. Shulman
Chairman

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, D.C. 20506

January 27, 1967

Mr. Emory F. Via
Director, Labor Program
Southern Regional Council
Five Forsyth Street, N. W.
Atlanta, Georgia 30303

Dear Mr. Via:

I enjoyed talking with you at the recent Textile Employment Forum in Charlotte, North Carolina, and I remember clearly your request for a copy of the statement which I made. As soon as the statement has been reproduced, we will be pleased to supply you with a copy.

Sincerely yours,

Kenneth F. Holbert

Kenneth F. Holbert
Acting Director of Compliance

EEOC - Forms

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
1800 G St., NW
WASHINGTON, D. C. 20506

FOR IMMEDIATE RELEASE JANURARY 1967 Phone: 343-5621

A revised EEO-1 minority employment report form (Standard Form 100) featuring changes in format, with few changes in data required, was announced today by the Joint Reporting Committee, representing the Equal Employment Opportunity Commission, the Office of Federal Contract Compliance and Plans for Progress.

The changes in the form and its instructions are designed to simplify reporting for employers and the processing of reports. To make it easier for employers with only one establishment, a form with simplified instructions was prepared.

With few exceptions, EEO-1 is to be filed only by those groups of employers who filed last year. In the case of employers subject to Title VII of the Civil Rights Act of 1964, only those that have 100 or more employees must file, even though Title VII now covers employers with 75 employees.

Major revisions in reporting requirements include:

-- Using the December-February payroll period to determine if an employer has the required number of employees for whom he must submit data. This eliminates filing by some employers involved in seasonal operations.

-- Filing employment data for permanent employees only, in industries where the employment relationship is short and work locations scattered, such as construction, longshoring and suppliers of temporary help.

-- Including as Government contractors, banks and other employers that are depositaries of Federal Government funds.

-- No longer requiring employment data for insurance company general agents.

-- Requiring data in specified cases by city and local area and eliminating some reporting options.

Data will be combined within local areas by multi-establishment employers in retail and wholesale trade, finance, insurance, real estate and service industries, regardless of the size of their establishments, and by employers in all other industries covering establishments with less than 50 employees.

Employer will combine the data for all establishments engaged in the same major activity within a Standard Metropolitan Statistical Area (SMSA) into one report. Establishments located outside the SMSA's will be combined into statewide reports.

Where a SMSA crosses state lines, establishments will be combined into separate SMSA units by state; also, for each of 60 designated cities, establishments will be combined separately for the city and the rest of the SMSA. Lists of the SMSA's, counties included within them and the 60 cities will be included in the instructions accompanying the form.

-- Combining establishments with less than 25 employees in industries other than retail, wholesale, finance, insurance, real estate and services, into company-wide or divisional reports, provided no more than three occupational categories are covered by each report. These reports must be accompanied by a list of all required data for each occupation by state.

-- Dropping two questions concerning apprenticeship programs and union referral arrangements.

-- Reducing the number of copies filed from four to two.

-- Mailing to employer headquarters the number of forms he is expected to need based on last year's reporting.

Government contractors and sub-contractors with 50 or more employees must file the form, as well as employers with 100 or more persons and subject to Title VII. The forms call for occupational employment figures with separate data by sex and minority groups -- Negroes, Spanish Americans, Oriental and American Indians.

The report is due for filing by March 31, 1967, with the Joint Reporting Committee, Federal Depot 1201 East 10th Street, Jeffersonville, Indiana, 47130.

The new form will be mailed to employers early in February.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

information

from the Equal Employment Opportunity Commission

1800 G St., N.W., Washington, D.C. 20506

TITLE VII NEWS BRIEFS

JANUARY 1967

EEOC

These are some of the things that are happening every day as the EEOC pursues its assignment to end job discrimination.

BEFORE the EEOC stepped in, a drive-in restaurant chain, with 9 units in Louisiana, had no Negro managers, only one Negro curb attendant and three Negro counter men. All of the bus boys were Negro. Even before conciliation was finished, the chain had two Negro managers, seven Negro curb men and 10 Negro counter men.

As vacancies arise, the chain promises to promote qualified Negroes from within before looking for "whites" outside. They also agree to advertise in Negro newspapers; the drive-ins had previously advertised for "whites only".

* * * * *

MEXICAN AMERICANS AND NEGROES should share rooms in a hospital controlled by a railroad in the Southwest, according to a finding by the EEOC. Prior to the discrimination charge, the hospital segregated Mexican Americans and Negroes from Anglos.

* * * * *

MINORITY EMPLOYMENT TRENDS in the textile industry will be highlighted at a two-day public forum to be held by the EEOC in the public library in Charlotte, N. C., January 12-13. The forum will bring together state and local agencies, business and industry leaders, civil rights groups and individual complainants with a view to increasing employment opportunities for minority persons.

* * * * *

(OVER)

EQUAL PAY FOR WOMEN - A union agreement with a Virginia rubber plant called for a 6¢ raise for the only classification in which women worked, and a 10¢ raise for all other classifications.

A conciliation agreement worked out with EEOC specifies a 3¢ raise for the women's classification, retroactive for almost four months, and valid until the union contract runs out this summer. It means more than $12,500 for the women. The settlement also calls for merging male and female job lists, and for carrying out all new collective bargaining without regard to sex.

* * * * *

UNION REFERRALS MUST COMPLY WITH TITLE VII says the EEOC. The Commissioners found discrimination in a case where a construction trade local in Memphis referred Negroes only to job openings which were racially segregated.

* * * * *

MERGED SENIORITY LINES FOR NEGROES AND WHITES will be administered fairly, according to an EEOC conciliation with a large paper company in Alabama. The agreement says that a senior employee will not be disqualified from a job promotion before receiving an adequate training period, or before a company official above the foreman's level had reviewed his on-the-job ability.

* * * * *

"REAL PARTICIPATION OF MINORITY GROUP EMPLOYEES throughout the occupational structure -- rather than a concentration in the lower levels" is a major goal, said EEOC Chairman Stephen N. Shulman in a speech before a Chamber of Commerce group in New York City. "Companies should examine their total work force and enter into serious discussions at all executive and supervisory levels to develop and then take actions designed to improve the occupational status of minority group members," he commented.

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BEST COPY AVAILABLE

EEOC

February 2, 1967

Mr. Ben Segal
Equal Employment Opportunity Commission
1800 G Street
Washington, D. C.

Dear Ben:

From time to time I am asked if E.E.O.C., especially through your office, has funds for affirmative programs which could be channelled to private agencies. What is the story?

There is in Atlanta, for instance, a group which cuts across agency lines which is attempting to make a concerted and thoughtful approach to the ending of discrimination in apprentice programs.

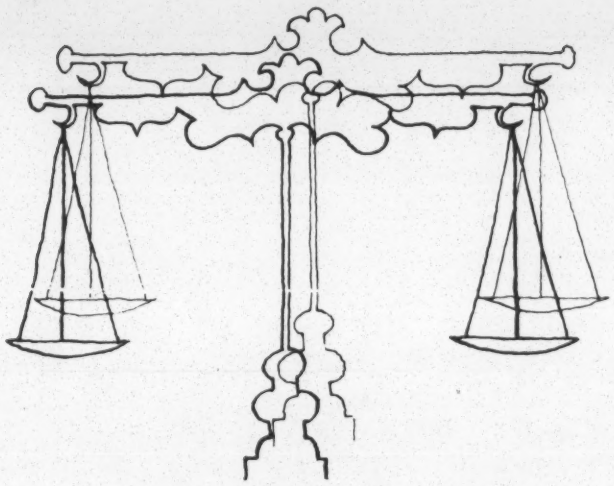
Sincerely,

Emory F. Via, Director
Labor Program

EFV/jd

FORVM

Eq. Empl. Op. — (FEP)



HOW TO BE SUCCESSFUL IN HIRING THE CULTURALLY DISADVANTAGED

WEDNESDAY, FEBRUARY 15, 1967

UNIVERSITY OF MICHIGAN, ANN ARBOR

- FRANK H. CASSELL
- PAUL S. LESHNER
- ROBERT I. SHACKFORD
- CLAUDE J. PECK, JR.

"We're like every other company in town—short of employees. One solution is to start hiring people we wouldn't have considered in the past, the culturally disadvantaged."

— a Vice President of Personnel

More and more companies are facing the situation described in the above statement. Their only alternative is to remain understaffed. And yet, they are hesitant to turn to the so-called culturally disadvantaged to solve their problem.

Their reluctance to enter this new labor market is reflected in several questions we have heard voiced recently, questions such as these:

- Who are the culturally disadvantaged, anyway? What can they *do*, and what would we have to do to make them productive employees?
- Are there special steps we would have to follow to introduce them into our workforce? Is there really a difference between them and our present employees? If so, how can we reconcile this difference?
- We would hire them if (a) they can qualify for our jobs, and (b) if we knew where they were. Where can we find them?
- We've heard about the government's role in this whole area—the Job Corps and such—but we've never had any direct contact. Where can we find out what they are doing to help us solve our specific problems?
- Will our present hiring standards—especially educational requirements—have to be lowered or can they be redefined to take new vocational training programs into account?

These are important questions. Answers to them can help to solve the severe manpower shortage problems facing many companies today. These and a host of other questions will be answered at a one-day conference to be held on the Ann Arbor campus February 15, 1967.

The speakers for this session represent three major organizations involved in making the unemployable an employee. The two best-known and most influential Federal Government activities, the U. S. Employment Office and the Office of Economic Opportunity, will be represented as will a non-government program. In addition, a company that has hired the culturally disadvantaged will report on its experience—why it turned to this group, the procedures it followed, and the results it achieved. A complete outline appears on the reverse side of this page.

If you presently face a manpower shortage, or foresee a growing need to obtain employees, enroll now in this timely, informative program. Simply fill out and return the registration form which appears on the back of this sheet or call the conference registrar at 313 764-9454.

BIR

BUREAU OF INDUSTRIAL RELATIONS
The University of Michigan
Graduate School of Business Administration
Ann Arbor, Michigan

HOW TO BE SUCCESSFUL IN HIRING THE CULTURALLY DISADVANTAGED

Wednesday
February 15, 1967

Rackham Building
Ann Arbor, Michigan

SPEAKERS:

FRANK H. CASSELL

Director
U. S. Employment Service
Washington, D.C.

ROBERT I. SHACKFORD

Deputy Regional Director
Office of Economic Opportunity
Chicago, Illinois

DR. SAUL LESHNER

Director
Jewish Vocational & Employment Service
Philadelphia, Pennsylvania

CLAUDE J. PECK, JR.

Secretary
Ryerson Division–Inland Steel
Ryerson Foundation
Chicago, Illinois

MODERATOR:

ROBERT PARKER

Recruitment Coordinator
Personnel Department
University of Michigan
Ann Arbor, Michigan

DESCRIPTIVE OUTLINE

FRANK H. CASSELL

I. Who–What–Why–Where of Cultural Disadvantage.
II. Challenges and Rewards for the Disadvantaged Job Seeker, for the Employer.
III. The Role of the Public Employment Service at the Federal and State Levels.
IV. Human Resources Development Program of the U. S. Employment Service
  A. Outreach to the Disadvantaged
  B. Developing Employability
  C. Outreach to Employers and Jobs
  D. Providing Meaningful Job Information
V. The Relationships of Business-Industry Personnel Departments & the U.S.E.S.
VI. The New Directions of the U.S.E.S.

ROBERT I. SHACKFORD

I. Summary of the OEO programs for developing pre-employment skills.
  A. Job Corps
  B. CAP Manpower Programs
II. Some characteristics of the culturally disadvantaged which affect their employability with special reference to Job Corpsmen and women.
III. CAP as a source of help to all manpower agencies in job development, recruitment, ancillary services to training & placement.
  A. Multi-Purpose Centers
  B. Manpower Programs
IV. Suggestions for the potential employer to aid in employing the disadvantaged.

SAUL S. LESHNER

I. The Psycho-social Problem
  A. The Cultural Transition
  B. The Nature of Work Motivation
  C. Recruitment–Direct & Indirect
II. Evaluation for Work
  A. General Occupational Competency
  B. Specific Job Capability
III. Preparation and Training for Work
  A. Basic Development
  B. Work Improvement Methods
    1. Adjustment Training
    2. Vocational Training
  C. Supportive Services
IV. Follow-up and Reinforcement of Employability
  A. Initial Hiring
  B. Up-Grading

CLAUDE J. PECK, JR.

I. Need to hire the Culturally Disadvantaged
II. Procedure in Hiring
  A. Previous Experience
  B. Work with Government & Community groups
III. In-Company Training Program
  A. Objectives
  B. Methods
IV. Impact on the Personnel Department
V. Success and Future Suggestions

CONFERENCE REGISTRATION FORM

Please register the following persons for THE FORVM CONFERENCE SERIES program on

_____

to be held in Ann Arbor on _____

Name _____

Title _____

Name _____

Title _____

Company _____

Address _____

_____ **Zip Code** _____

Company Phone No. _____

Registration Fee: $50 per individual (includes tuition, course materials, luncheon and one-year subscriptions to Management of Personnel Quarterly and Personnel Management Abstracts.)

☐ **Check enclosed (Make checks payable to The University of Michigan)**
☐ **Bill my company (Billing information enclosed)**

I will travel by ☐ **Auto** ☐ **Plane** ☐ **Not certain**

Please send registration to:

CONFERENCE REGISTRAR, BUREAU OF INDUSTRIAL RELATIONS, THE UNIVERSITY OF MICHIGAN, 703 HAVEN STREET, ANN ARBOR, MICHIGAN 48104 TELEPHONE (Area Code 313) 764-9454.

ROOM RESERVATION BLANK

Please reserve rooms for_____**person(s) for the night(s) of** _____
(month) (days)

Name _____

Name _____

Company _____

Address _____

Registrations cancelled less than one week prior to the Seminar date are subject to a $15.00 charge.

ROOMS WILL BE RESERVED FOR YOU AT THE MICHIGAN UNION OR MICHIGAN LEAGUE BY THE CONFERENCE REGISTRAR. PLEASE MAIL EARLY.

LFV

The Wall Street Journal
Tues. Feb. 28, 67
P. 1

EEOC

* * *

FEDERAL BIAS-FIGHTERS develop a new tool to battle pay discrimination. The Equal Employment Opportunity Commission settles charges against a Mississippi manufacturer after comparing his wage structure with that of a California competitor; the Mississippi employer's Negro workers were nearly all at the lowest pay rate prevailing in that plant, while workers holding similar jobs in California were higher up the wage structure there. Further use of such pay comparisons is expected. But the EEOC has little power to force changes.

* * *

EEOC

EEOC REPORTS

A CLEARINGHOUSE SERVICE
FOR BUSINESS NEWSLETTERS AND PERIODICALS

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
STEPHEN N. SHULMAN, Chairman
1800 G Street, N.W. Washington, D. C. 20506

February, 1967

GOOD NEWS FROM WATTS

New jobs, liberal entry requirements, applications taken at the plant site, training provided, a stock-buying program for employees and a local Negro businessman as company president -- this is today's story from the much publicized Watts section of Los Angeles. Creator of the good news is Aerojet General Corporation, which formed its new subsidiary, the Watts Manufacturing Company, to provide jobs for hard core unemployed men and women in the disadvantaged area.

Dan A. Kimball, Chairman of the Aerojet Executive Committee, predicted that more than 200 local hires will be working on a two-shift basis next month with the number increasing to 250 by midsummer. Training is provided for applicants who have manual dexterity -- the only job-entry requirement -- to operate machines to produce tents for the military. Police or court records are irrelevant in evaluating applicants. Transportation, one of the major problems of the unemployed in Watts, is solved by locating the plant in the unemployed area. An extra inducement is the plan permitting employees to buy stock in the company.

TRANSLATING POLICY INTO PRACTICE

United Airlines reports that after an active campaign for merit employment, "we were on the road" to a successful program. The Chicago - based airline has more than 1,700 Negroes in job categories which include managerial, personnel, office and clerical, station agents, airfreight agents and stewardesses. Newest breakthrough came last summer when a Negro pilot took over controls of ships in the company's jet fleet.

United credits the company's unending emphasis on upgrading present employees for most of the progress it has made in placing Negroes in white-collar jobs. While United operates on a divisional basis in some job areas, its search for promotable talent within the company was -- and continues to be -- nationwide.

C. OF C. ADVOCATES PREFERENTIAL RECRUITMENT POLICIES

"Preferential minority recruitment policies by business are justified, as contrasted to preferential hiring policies. Long-standing policies giving preference to the recruitment of non-minority workers have restricted the incentive of minority Americans to look for jobs and to prepare for employment through education and job training. Special recruitment efforts are needed to make clear that business wants minority employees at all levels of employment." -- Third Report, Task Force on Economic Growth and Opportunity, Chamber of Commerce of the United States, January, 1967.

PROMISE AND PERFORMANCE

Non-white employees represented 37 percent of the total employment gain of 38,000 among 216 member firms of the Chicago Merit Employment Committee last year. Member firms sign a "Statement of Merit Employment" and supply the Committee's certified public accountants with confidential reports of white and non-white employment in various jobs. It's "good business" says John D. Gray, Committee Chairman and President of Hart Schaffner & Marx.

EEOC FINDS TESTS DISCRIMINATE

In its first decision concerning tests, EEOC found that a Southern paper manufacturing plant used tests that discriminate against Negro applicants and employees. Following a charge filed against the company and union, Commission investigators found: the test was not "professionally developed." Only six percent of the plant's 2,645 employees are Negro, while the local population is 40 percent Negro. Ninety-two percent of Negro employees are in "dead end" jobs with no prospect of advancement. Since 1964, 17 Negroes have taken tests to transfer to "line of progression" jobs. One Negro who passed the test was outbid for the job he sought. The Commission's decision was based on EEOC's Guidelines on Employment Testing Procedures, adopted last August.

TOWARD MORE EQUAL OPPORTUNITIES

"In the months ahead, we will be working to streamline the complaint process, to take maximum advantage of automation, so that we can provide speedier and improved procedures. We will increase our use of developments in the compliance area as a basis for new affirmative action projects. And we will be developing new and better ways of enlisting the cooperation of many that is so essential to voluntary progress." -- Chairman Stephen N. Shulman to Arkansas Human Relations Council, January 14, 1967.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, D.C. 20506

Cor.

February 16, 1967

IN REPLY REFER TO:

Mr. Emory F. Via
Director of Labor Project
Southern Regional Council
#5 Forsyth Street, N. W.
Atlanta, Georgia 30303

Dear Mr. Via:

As a part of the follow-up program to our Textile Employment Forum held in Charlotte last month, the Commission is inviting a few persons to Washington on February 24, to exchange views regarding the Commission's tentative plans. At that time we expect to have completed a draft summary of the forum transcript and an analysis of certain other data which would be useful to those making suggestions on follow-up.

I would hope that you will be able to join us at the Commission offices on February 24. The meeting will began promptly at 10 o'clock a.m., and concluded by 4:30 p.m. Please come to room 1237 at 1800 G Street, N. W., on the appointed date.

If for any reason you will not be able to attend, I would appreciate your letting me know by February 20.

With all best wishes.

Sincerely yours,

Samuel C. Jackson

Samuel C. Jackson
Commissioner

EEOC REPORTS

A CLEARINGHOUSE SERVICE
FOR BUSINESS NEWSLETTERS AND PERIODICALS

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
STEPHEN N. SHULMAN, Chairman
1800 G Street, N.W. Washington, D. C. 20506
March 1967

Testing

THE TASK AHEAD

President Johnson, in asking Congress to strengthen the EEOC by providing judicially enforcible cease-and-desist orders under the law, pointed out:

"Our task is far from over. The statistics demonstrate the magnitude of the effort required...The unemployment rate for nonwhites aged 21 -- even in this time of near full employment -- is double that of whites... The income of the average Negro family is about 40 percent lower than that of the average white family...

"Perseverence, the willingness to abandon what does not work, and the courage to keep searching for better solutions -- these are the virtues the times require...." -- Civil Rights message to the Congress, February 15, 1967

BEYOND THE LETTER OF THE LAW

By "giving any guy a break," the 800-member work force of KLH Research and Development Corporation is approximately 35 percent Negro, 7 percent non-English speaking Portugese, and a smaller percentage of other minority group members. Bi-lingual group leaders in the plant and a volunteer English instructor from Boston University are solving communications problems of the non-English speaking. Present workforce of the Cambridge, Mass., corporation also includes 19 parolees, with production records comparable to any group, according to Henry K. Shor, Personnel Director.

A CHANCE TO QUALIFY

Ten firms cooperating with the New York Urban League are giving high school graduates a chance to qualify as trained secretaries and stenographers. Through a scholarship program at Manhattan Community College, they provide a ten-week course of full-time training including typing, stenography, business English and office practice. Cooperating companies are: American Airlines, Bankers Trust Company, Bristol-Myers, Celanese Corporation, General Motors, Lever Brothers, Mobil Oil, Time Inc., Richardson-Merrell and Western Electric.

ISSUES IN TESTING

To illustrate "cultural bias" in employment tests, Sylvia Porter, syndicated columnist, recently wrote: "A test given to young children in

Hawaii some years ago included a picture of a house without a chimney. When asked what was wrong with the house, most of the children answered 'nothing' because they had never seen houses with chimneys." Miss Porter cites the illustration as an indication of the extent to which this type of bias may exist in employment tests widely used in the United States.

TESTS DON'T ALWAYS PREDICT PERFORMANCE

A Prentice-Hall survey of 423 employers with a total of 954,000 employees reveals that more than one out of six companies said the most recently hired nonwhite's job performance has been better than his test performance. "The fact that a significant number of companies noted this supports the belief of researchers that employment tests sometimes do not measure the true ability of many minority-group members to perform on the job..." -- The New Civil Rights Law and Your Business, Prentice-Hall, Inc., December 1966.

EEOC offers Guidelines on Employment Testing Procedures, based on the recommendations of a panel of outstanding psychologists with broad experience in the testing field.

CONCILIATION OPENS NEW JOBS FOR WOMEN

A major conciliation agreement has opened up 195 new job categories for women from which they have been historically excluded. The agreement was signed by EEOC, the Dubuque Packing Company of Iowa, Local 150 of the Amalgamated Meat Cutters and Butcher Workmen and individual women complainants. It abolishes separate male and female seniority lines, establishes a unified system, makes all jobs in the plant available to women if they are able to perform or learn to perform them within a reasonable period of time. The agreement also means that men may seek jobs previously reserved for women.

COMMISSION PLANS FOLLOW-UP ON TEXTILE INDUSTRY FORUM

Planning is underway for a voluntary affirmative action program throughout the textile industry in the Carolinas, following the Commission-sponsored Public Forum in North Carolina January 12-13. EEOC's goal is to involve in the program all interested parties who attended the Forum, including representatives of the textile industry, state and local government agencies, civil rights organizations, labor, education, the clergy and other community leaders.

"Our Commission is pledged to assist and encourage voluntary efforts and seeks to increase their number. Successful, workable, conciliation agreements with a particular company can, in appropriate instances, serve as a pattern for the relevant industry." -- Stephen N. Shulman, to Detroit Personnel Management Association, February 16, 1967.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

information

from the Equal Employment Opportunity Commission

1800 G St., N.W., Washington, D.C. 20506

EEOC

TITLE VII NEWS BRIEFS MARCH 1967

Highlights of what's happening at EEOC....

NEW TRAINING OPPORTUNITIES OPEN UP FOR NEGROES in a Gulf Bay plant, after a review of minority group personnel records.

Negro employees charged that the company's job training program was run in a way which prevented them from becoming equally qualified for promotion to supervisory positions. Nine Negroes in one mill, for example, had more seniority than and at least as much education as the white foremen. None of the foremen was Negro.

EEOC conciliation called for an evaluation and review of personnel records, with training and promotion for qualified employees. Within two months, the review was completed: Two Negroes were selected as foremen trainees and four Negro laborers were selected as machine operator trainees.

* * * * *

EEOC STEPS IN TO HELP NEGROES AND MEXICAN AMERICANS who were denied union membership in a New Orleans local. It was charged that this same local conspired with an employer to discharge -- and to refuse to refer for other jobs -- two employees who had tried to get union membership for the minority group workers. The discrimination charge is in the process of Commission conciliation.

(OVER)

* * * * *

67-15

FINDING JOBS FOR PEOPLE AND PEOPLE FOR JOBS was urged by Vice President Hubert H. Humphrey at the fifth national conference of Plans for Progress. The Vice President called on businessmen to "give us a balance sheet next year that looks like a new beginning... We can afford to continue our efforts toward a full opportunity for all Americans."

* * * * *

INTEGRATED FACILITIES AND WORKFORCE were agreed upon in a conciliation with the Commission and a South Carolina textile mill.

The company operates a three-shift day for its 400 employees -- 125 of whom are Negro. Whites are predominantly on the first shift, with Negroes predominantly on the second and third shifts. The conciliation calls for integrating the first shift workforce, as vacancies arise.

In addition, facilities which were segregated -- Negroes using time clocks in the rear of the building for example -- were eliminated. Now time clocks are located in the same area.

* * * * *

ON-THE-JOB TRAINING FOR DONUT BAKERS is underway at the new Plain 'n Fancy Donut shops in the Washington area, after EEOC set up an agreement between Plain 'n Fancy and the Department of Labor. Manpower Development and Training Act (MDTA) funds will pay the cost of the 16-week training program.

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EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

newsletter

from the Equal Employment Opportunity Commission

1800 G St., N.W., Washington, D.C. 20506

VOLUME 2, NUMBER 1 MARCH 1967

COMMISSION GETS NEW CHAIRMAN

ALL HANDS, *including President Johnson, turned to turn off John Shulman, 3½, who insisted on talking while his father, Stephen N. Shulman, spoke at the swearing-in ceremony at the White House. Left to right are: Mrs. Shulman, Dean, 5, Harry, 8, The President, and the new chairman of EEOC. (UPI Photo)*

President Appoints Stephen N. Shulman To Head EEOC

When the new chairman of the Equal Employment Opportunity Commission, Stephen N. Shulman, talks about retail and wholesale, he means the equal employment opportunity business, not the garment business.

At a press briefing held not long after his appointment by the President, Shulman defined the "retail" of equal employment as the handling of individual job discrimination complaints. With complaints running at an annual rate of about 10,000, the EEOC is indeed deeply committed to this retail approach.

But Shulman plans to move vigorously into the "wholesale," broad approach of reaching out for an entire industry, persuading the employers to hire minority workers.

This kind of business is not new to Shulman: although he is only 34 years old, he already has several years of labor and civil rights work behind him.

Shulman, who received his

Continued on page 2

Commission Conducts Public Forum on Textile Employment

Representatives of state and local governments, civil rights groups, educational institutions, labor unions, human relations commissions, individual complainants, and—at the last minute—of the textile industry, participated in a two-day public forum conducted in Charlotte, N.C. by the Equal Employment Opportunity Commission.

The "Textile Employment Forum" was designed to focus attention on employment trends in the textile industry and on the labor market generally in the Carolinas, with a view to increasing employment opportunities for minority persons.

Commission staff presented information gathered from Reporting Forms filed by textile manufacturers with the Commission. A report: "Negro Employment in the Textile Industries of North and South Carolina," prepared by Dr. Donald D. Osburn of the University of Missouri (formerly of North Carolina State University) was presented and discussed by Dr. Osburn.

Some of the facts upon which the textile forum was based:

Textile industry provides about 45 per cent of the manufacturing jobs in the Carolinas.

As late as 1960, non-whites in

Continued on page 3

LBJ to Shulman:

"You will have succeeded in your job when you, or one of your successors, can come to the White House and recommend to the President that the Equal Employment Opportunity Commission be disbanded—because there is nothing left for them to do—discrimination has been banished from our land and that is the day we all look forward to . . ."

EEOC

4-12-67

A copy for EV soon, please

SOUTHERN REGIONAL COUNCIL
5 FORSYTH ST
ATLANTA 3, GA 30303

Emp. EEOC

10 CENTS

Uphill Bias Fight

After Faltering Start, Agency Readies Attack On Job Discrimination

Young, Forceful Chief Takes Charge of New U.S. Unit; Tough Enforcement Likely

Tackling Dixie Textile Plants

4-12-67

By JAMES P. GANNON
Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—"We're out to kill an elephant with a fly gun."

Smiling but not really joking, Stephen N. Shulman thus describes his tiny Federal agency's big assignment of wiping out race and sex discrimination in employment. As the new chairman of the Equal Employment Opportunity Commission, Mr. Shulman is loading up for an assault on the target.

The commission's record, in its 21-month existence, wouldn't throw much fear into the hearts of potential foes. It has received more than 15,000 complaints of discrimination but has successfully conciliated only 330 complaints against 110 employers. Exactly one EEOC lawsuit has been filed by the Government against an employer.

The EEOC's brief history has been marked by administrative chaos and a revolving-door personnel problem. With a $5.2 million budget (smaller than that of the Office of Coal Research) and a staff of 314 (smaller than that of the Federal Crop Insurance Program) the agency seems dwarfed by the problems facing it.

Yet Mr. Shulman vows that a newly recruited team of ambitious young men and a new, broader approach to fighting job bias will "get this agency moving." He plans a series of industry-wide attacks on discrimination. Young (34), enthusiastic and confident, Steve Shulman plans to make the EEOC felt by the nation's employers.

"It's a whole new ball game," he declares.

New ball games are routine to the versatile Mr. Shulman. Prior to assuming his new post, he hurried through six Government jobs in seven years. After college at Harvard, law school at Yale, a term as a law clerk at the Supreme Court and a hitch as an assistant U.S. Attorney, he became executive assistant to the Secretary of Labor, served with the President's Committee on Equal Employment Opportunity (a now-defunct forerunner of the EEOC), was appointed Deputy Assistant Secretary of Defense for civilian personnel, industrial relations and civil rights, then general counsel of the Air Force and, finally, to his present $27,000-a-year post.

Moving to the EEOC after four years at the Pentagon, Mr. Shulman has characteristics that make him look something like a Robert McNamara for the civil rights field.

Like the Defense Secretary, Mr. Shulman puts high priority on efficiency. He has established what he calls an "industrial engineering-efficiency expert sort of operation" to evaluate EEOC work and map future strategy. He's about to automate commission procedures extensively, using computers both to increase agency productivity and to pinpoint job bias.

"Whiz Kids"

In the McNamara style, the EEOC chief has assembled a "whiz kid" staff of young executives like himself. Fighting discrimination, he feels, is too important to be left to the civil rights advocates, whom he maintains are often "dedicated more to discussion than action." His newly recruited staffers range from a computer expert to a former television news executive.

Last week President Johnson carried the EEOC revamping a step further, by filling one of two vacancies on the five-man commission. The new commissioner is Vincente Ximenes, who has been serving as deputy director of the U.S. aid mission in Panama. He joins Mr. Shulman and the only two commissioners with the EEOC from the start, 55-year-old Luther Holcomb, a former Dallas minister, and 37-year-old Samuel C. Jackson, a former NAACP attorney.

This year the President has asked Congress to grant the EEOC power to issue enforceable cease-and-desist orders; currently, it is limited to investigating complaints, conciliating disputes and recommending suits by the Justice Department. The fate of the Johnson request is in doubt; no Congressional action is likely for several months. If granted, the new power would be welcomed at the EEOC but would force major changes in procedures and machinery.

A Thorough Shake-Up

Sweeping change wouldn't be unprecedented at the EEOC. Rarely has any Federal agency undergone such a thorough shake-up in personnel, procedures and policy as this one since Mr. Shulman took over last September, nearly five months after the resignation of the first chairman, Franklin D. Roosevelt Jr. Whether more vigorous performance will result remains to be seen; some observers are skeptical. But whatever the outcome, the direction of the EEOC under Mr. Shulman is becoming clear:

—The attack on job bias will be broadened beyond the case-by-case "retail" handling of complaints by individuals to what Mr. Shulman calls a "wholesale" approach of industry-wide anti-discrimination programs. These probably will involve both voluntary action by employers and commission-initiated formal charges leading to conciliation of disputes. The South's textile industry will be the first "wholesale" target. The EEOC is studying further "affirmative action" plans for the railroad and trucking industries, among others.

—The EEOC increasingly will join with other arms of the Government to try to open employment opportunities for minorities. "With a budget our size," says the chairman, "we've got to be a catalyst" that sparks anti-discrimination action by bigger, more powerful

Please Turn to Page 10, Column 2

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Uphill Bias Fight: New U.S. Agency Readies Attack on Job Discrimination

Continued From Page One

units. For example, the EEOC's fight against job bias could be advanced by judicious use of such incentives as employe recruiting aid from the Labor Department and job training funds from the Health, Education and Welfare Department or by the threat of defense contract cancellations from the Pentagon. "What we're trying to do is bring the total imagination of the Government to bear on this thing," Mr. Shulman explains.

—The commission will concentrate on liberalizing hiring standards and promotion policies in industry, including the union-contract seniority system.

Industry's hiring standards, involving mental tests, physical appearance and police records, usually are "built around a community of average middle-class white people who behave in a certain way," says Mr. Shulman. Such standards, he finds, often weed out a high proportion of minority-group job applicants. He vows his determination to change this situation.

Promotion barriers, especially those that involve union-negotiated seniority arrangments, present more difficult questions. The key issue is whether the commission should content itself with opening up current and future advancement opportunities for minorities, or whether it should try to undo the effects of past discrimination that has long held them in low-pay, dead-end jobs. The answer isn't certain yet.

Touchy policy questions are only part of Mr. Shulman's problems. "He came into what is considered a can of worms," says a former high-ranking EEOC official who recently quit. For his own part, Mr. Shulman allows that the agency was in "quite a bad administrative situation" on his arrival.

It was in mid-1964 that Congress formally created the commission. But the Administration and the nation's employers were given one year of grace before the new Federal jurisdiction over employment discrimination actually was to take effect. Nonetheless, President Johnson didn't appoint the five commissioners until May 17, 1965—only about six weeks before the EEOC was supposed to start functioning.

Planning procedures, writing ground rules and hiring a staff consumed more months. Congressional clipping of the EEOC's first budget request hampered some operations and delayed the opening of regional offices. "It wasn't until midyear 1966 that this commission really began to operate," one insider says. The 10 field offices weren't all operating until last September.

The commission was headless — some critics say motionless — for five months after FDR Jr. quit in April of last year to run unsuccessfully for governor of New York. It hasn't had a full complement of five commissioners since last June 30, when Richard A. Graham's term expired; it's been running with three commissioners since last November, when Aileen C. Hernandez quit, partly in frustration over slow progress. Commissioner Jackson had planned to quit in February until civil rights leaders prevailed upon him to remain as the only Negro commissioner.

Job-jumping at the staff level has been even more frenetic. Of the top dozen staff jobs, only two are still held by their original occupants. The highest staff job has had three tenants in 21 months. The personnel parade is partly a result of Mr. Shulman's deliberate shake-up, but it also reflects the agency's uncertain start.

Moreover, the EEOC grossly underestimated its workload. After figuring on receiving 2,000 complaints in its first year, the agency found itself swamped with 8,854 charges. Through the end of 1966, the total influx reached 15,524. The result: A staggering backlog in both the investigation and conciliation departments.

The commission must study each incoming complaint, determine if it has jurisdiction, investigate the charges, decide whether there's "probable cause" to believe the law has been violated and, if cause is found, seek to conciliate.

Backlog Figures

At the end of 1966, 6,040 complaints had been earmarked for investigation; the rest were awaiting processing, had washed out due to lack of jurisdiction or insufficient information, or had been sent to a state or local fair employment commission, to which the EEOC must defer. Of the 6,040 complaints, investigators had completed inquiries on only 3,319, leaving 2,721 awaiting processing. In the conciliation stage, backlogs are worse. The logjam has continued to grow this year.

The planners underestimated the volume of complaints from Negroes, but the deluge of sex-bias charges was even more unexpected. The sex provisions, added almost as an afterthought as the bill passed Congress, have provided one-third of the total complaints.

Of the 110 cases successfully conciliated so far, 80 involved Negroes, 27 dealt with sex-bias charges (mostly by women) and three involved Mexican-Americans. By EEOC reckoning, the 80 Negro settlements immediately benefited 675 employes and might eventually benefit 8,773 others in similar situations with the same employers.

For a staff of only five conciliators, it's an impressive showing, but for the U.S. Government it is not the showing we'd hoped for," comments Alfred W. Blumrosen, chief of conciliations. Like the investigations staff, he and his four associates have worked seven-day weeks and take considerable pride in their accomplishments, no matter how the statistics look.

Justice Department's Role

However efficiently the commission operates, its effectiveness depends in part on the Justice Department. When conciliation fails, the EEOC can ask the Attorney General to file suit against recalcitrant employers or unions. So far, 15 cases ripe for suit have been referred to the Justice Department. Only last month the department filed its first suit against an employer, Dillon Supply Co. of Raleigh, N.C., picking a case referred to it some 10 months earlier.

This unhurried and limited response to EEOC recommendations has drawn criticism from civil rights groups. "Somehow, somewhere, there seems to be a lack of communication and cooperation between the EEOC and the Justice Department," says Robert Belton, attorney for the NAACP Legal Defense Fund Inc. which has brought suit on its own in 35 job-bias cases where the EEOC failed to conciliate successfully.

Publicly, EEOC officials sound philosophical about their cases marking time in the Justice Department; they say the department must make its own thorough investigation and must weigh the importance of the EEOC cases against other pending civil rights legal work ranging from voter-registration cases to school integration suits.

Private comments from some EEOC officials, however, are less charitable. "There's a feeling on the staff level that if a complaint involves General Motors, U.S. Steel or a company of that stature, with access to the White House, then Justice will back off," says one official. (No suit against such a company has been recommended by the commission, however.) Another EEOC official, noting that the lone suit was brought against a small company, contends it's unlikely such a suit would be filed against an important Government supplier; that, he claims, would "embarrass" the Labor Department's Office of Federal Contract Compliance, which is supposed to police nondiscrimination by Government contractors, and also might jeopardize the supply of some important item.

Budget Increase Sought

As for the EEOC's part of the job, things are expected to start moving faster soon. "It's true our current staff and current budget . . . are inadequate," says Mr. Shulman. But that's all changing, he adds. For one thing, the President has asked that the EEOC budget for the fiscal year starting in July be raised to $7.2 million from the current year's $5.2 million; that will provide for an additional 110 employes, lifting the EEOC staff to 424.

Besides, promises Mr. Shulman, productivity is going to accelerate. Computers will store, for instant retrieval, all previous commission decisions and general counsel's rulings. For any one case, "the whole legal research job can be done in five minutes," he says. Also, computers will analyze the commission's huge store of statistics on racial makeup of the work forces in individual concerns and industries, spotting areas most in need of EEOC attention.

Mr. Shulman is also counting heavily on his new staff to improve efficiency. In this youthful group, 40 is old. Gordon Chase, the new staff director, who comes from the Agency for International Development, is 34; Eric Springer, a research professor and computer expert from the University of Pittsburgh who will be chief of compliance (over investigation and conciliation), is 38; David Shefrin, formerly of ABC-TV in New York, who is director of state and community relations, is 39; Peter Robertson, head of the office of program planning and review, the efficiency-expert operation, is 31.

Some outsiders wonder about the effectiveness of these "whiz kids," who are largely inexperienced in the complex mixture of civil rights, labor practices and management policy involved in EEOC cases. "I don't see how it's possible to walk out of the top third of the class at Yale and into this situation and know what you're doing," comments one observer who has had extensive dealings with the agency. Mr. Shulman concedes the new staff will have to go through a "shakedown" period, but he doubts that means "moving backwards."

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
TRANSMITTAL FORM

DATE 5/24/67

TO : Emory Via

FROM: George O. Butler

Harold Cramer

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GSA-WASH DC 66-1451

THE NEW YORK TIMES, SUNDAY, MAY 21, 1967

A Leader Sees Textile Industry Emerging From Its Recession

The New York Times

Charles F. Myers Jr., president of Burlington Industries

By ISADORE BARMASH

The textile industry is beginning to climb out of the trough into which it fell more than nine months ago, the president of the country's largest textile producer said last week.

Charles F. Myers Jr., president of Burlington Industries, Inc., attributed the recession—in part at least—to the imports that flooded the country after the domestic industry was asked to fill heavy military needs for Vietnam.

The industry's depression, he said, resulted also from a great growth in new production facilities, a resulting maladjustment in fiber prices, and consumer uncertainty about the future of the economy.

Now, however, Burlington finds a stronger tone in forward bookings, particularly in the depressed home-furnishings sector.

Question: Mr. Myers, would you elaborate on the pickup in business?

Answer: Some of the conditions that brought about the depression are beginning to right themselves and the inventory situation is starting to correct itself. The consumers still are generally buying and that has helped the transition from the lag to a more promising state. I expect that there will be a fuller pickup in the industry's business at the end of this year or at the beginning of 1968.

Q. What effect do you think the completion of the Kennedy round talks, providing a cut in tariffs on imports, will have on the American textile industry?

A. While the Kennedy round negotiations have been concluded, at this point we don't have details as to the effect on textiles. We will study the specifics when available, both from the standpoint of the impact on imports and on our opportunities to increase exports.

Q. What effect did the industry depression have on your production?

A. We made some very substantial deliberate curtailments in our production. Before, our temptation was to hit and run. But, in the last few months, we have had as severely enforced curtailments as we have had in the last 15 years. In some plants, where we operated six days, we went to five days. In others, we went to four days. I estimate that we cut our production 16 per cent in this period. Now, in some areas, it looks as if we might be returning to normal production. It is still tenuous, of course. But, after all, what do we need to jump back? First, demand. Then volume. And then come better margins.

Continued on Page 5, Column 3

Q. How will your capital expenditures this year compare with those of the last two years?

A. The most encouraging thing about our situation today is that we have pretty well finished with a heavy capital expenditure program. Last year, we spent a record $159-million for new plants, bringing seven facilities on stream, against about $85-million in 1965. Our capital program this year will be more in line with 1965 than with 1966.

Q. In retrospect, seeing clearly now what has happened in the industry, do you feel that you may have gone overboard on your big capital outlays?

A. No, I don't feel that way. We took a real hard look at expenditures last year in the light of the rough going. And, looking back, I think that we would not have lopped off more than 10 per cent from our outlays because of the unsatisfactory industry conditions.

Q. How much extra volume will the new plants bring or accommodate?

A. At today's price levels and operating all of our facilities at relatively full production, we now have potential volume of well within $200-million to $250-million above current levels. Even though our program was carried on at a bad time, we were building not for the present but for the future. My only fear is whether we are going to have enough plants to supply the needs that arise.

Q. What is your reaction to the very recent price cuts in polyester fibers by several producers?

A. I think they will help to stabilize the industry's position. Let's look at it this way: If we want our customer to take a forward position, and we certainly do, he will want to know what the price structure will be. In other words, he wants a stability of prices so that he can have confidence in buying ahead. With all the overproduction in polyester, the lower prices will bring a balance.

Q. Has Burlington adopted a new policy of becoming directly known to the public? If so, why?

A. Yes, we are doing much more of this, but we are feeling our way. Our national television program is very much part of providing a direct link with the consumer. And we have today many consumer product areas that are going directly to the consumer—carpets, sheets, hosiery—and then there is a broad area of fabrics that the public is knowing better all the time because we are stressing the divisional brand names.

Q. What about the corporate name as far as consumers are concerned?

A. Down the road a bit, we will be stressing our name more than the fiber. The fiber companies have done a tremendous job of educating the public and I hope this will continue. But I think there is a trend under way to change to corporate names as opposed to brand names. After all, the customer is buying the Burlington fabric, not because it has the XYZ fiber but because he depends on our quality and reputation. I see this as a gradual development, but it will not take over 100 per cent. There will always be textile fabricators who will want to ride the coattails of the fiber companies. We ourselves are trying to probe and find the proper emphasis for our divisions and to add to their image of stability and reliability the reputation and prestige of the corporate name.

Q. Would you discuss your research and development and are there any changes in their objectives?

A. In the last four to five years, there has been a very definite desire on our part to increase our research activities and to back them with effort and money. Applied research was our traditional pitch and we took up where the fiber companies left off. It is my belief that we had restricted our research too much to quality control—to ultra-applied research. Now we have a substantially different concept or reason for research than we did a few years ago and it is to move more and more into basic research. On Friday we dedicated Burlington's new research center near Greensboro, N. C. This $3.5-million project now houses on a 42-acre site near the Greensboro Airport the company's expanded corporate research and development facilities. In this center, we are going to do many things to look to some of the fascinating horizons ahead of us.

•

Q. Could you open the doors a bit and let us see some of the things going on inside the new center?

A. We are exploring the whole area of truly making apparel easy-care. This involves work to solve the problems of some of the newer fibers that not only retain but also attract soil or dirt. It includes waves of simplifying the processing operations in the mills, the putting together in manufacturing of both natural and synthetic fibers. And, of course, we have already had one 'Eureka.' This is our new 'Come Clean' process, introduced by our Klopman Mills division, to remove stains from permanent-press articles.

Q. What further diversification plans does Burlington have since its 1966 acquisition of the Globe Furniture Company?

A. Within our industry, we have reached a good level of diversification and this is what led us to move into an area that is fringe for us, such as furniture. We have no plans to expand further into that field. We are getting our feet wet and we are still in the learning stage in that industry. However, we do feel that, within the textile area, there are untapped markets for us and that these deserve our effort and money.

•

Q. How about overseas?

A. Klopman Mills is building a big new integrated plant for polyester-cotton blends in Italy that is being constructed with the possibility of having three eventual enlargements. It should be on stream at the end of this year or in the first six months of 1968. Its output is intended to be sold to all the Common Market countries. Of course, we also have other integrated plants in Switzerland, a glass fiber plant in West Germany and plants in Latin America.

Q. Would you estimate corporate financial results for the current third quarter and nine months?

A. I can't do that, but you can draw your own conclusions from our first six months' figures.

Q. Those results showed a decline in sales and earnings, which you were quoted as attributing to continued high levels of imports. Does that mean that the nine months will also show a dip in sales and income?

A. As I said, you will have to draw your own conclusions.

•

Q. Will the new building on the old Ziegfield Theater site at Avenue of the Americas and 54th Street in Manhattan in any way mean a corporate move from your Greensboro headquarters?

A. I see no change in that respect. Our corporate offices will remain in Greensboro, but our merchandising headquarters will now be centralized in this proposed 50-story building in New York, instead of in 10 different locations, depending upon the suitable areas in the city. We find those area lines disappearing, with possibly one or two exceptions. I myself am a commuter from North Carolina to New York, as are most of our senior executives. I am here two or three days a week about 45 weeks of the year.

FEP — Agencies —
Jan 7 Vio

PROMISE vs. PERFORMANCE

in

Public Civil Rights Agencies

Proceedings of a Conference on May 25-26, 1967 at the Fair Lane Conference Center, Dearborn Campus of The University of Michigan

sponsored by:

Institute of Labor and Industrial Relations of The University of Michigan and Wayne State University in cooperation with the Office of Liaison, Equal Employment Opportunity Commission.

Frances R. Cousens, Conference Coordinator
The University of Michigan Dearborn Campus
4901 Evergreen Road, Dearborn, Michigan 48128

July 1967
Approved BOB–124–R004
Expires August 31, 1968

EQUAL EMPLOYMENT OPPORTUNITY APPRENTICESHIP INFORMATION REPORT EEO–2

This report is required to be filed under Section 709(c) of the Civil Rights Act of 1964 by Joint Labor-Management Apprenticeship Committees only. Refusal or failure to file the report may result in court action by the Equal Employment Opportunity Commission to compel the filing of the report. The form is being mailed to all known Joint Labor-Management Committees. If you are an employer or a labor organization operating an apprenticeship program (other than a joint labor-management program), and you received this form by mistake, explain in Section E and return the form, so that your name can be removed from the mailing list.

IMPORTANT—Read the attached instructions carefully before preparing this report. Complete all items unless otherwise instructed. If an item does not apply, mark "N/A." Use additional sheets if more space is needed and identify the continued item. Prepare, sign, and submit one copy before September 30, 1967, to: Apprenticeship Reporting Program, Federal Depot, 1201 East 10th Street, Jeffersonville, Indiana 47130.

Part A. APPRENTICESHIP PROGRAMS REQUIRED TO FILE (To Be Completed By All Joint Apprenticeship Committees)

	Yes	No
1. Do you have five apprentices or more in the entire program?	☐	☐
2. Does at least one employer sponsoring this program have 50 or more employees?	☐	☐
3. Does at least one local union sponsoring this program operate a hiring hall or have 50 members or more?	☐	☐

If you answer "No" to *any* of the above questions, complete only Part B and Items 1 and 2 of Part C of the form and return it to the address listed above so that you will not receive additional correspondence requesting you to submit this report.

If you answer "Yes" to *all* of the above questions, complete the entire form.

Part B. SIGNATURE

To the best of my/our knowledge and belief the information contained in this report and attachments is true and complete. It is further certified that to the extent any data in Part F are based on self-identification by apprentices, this information was gathered only after the apprentices were advised of its confidential nature and purposes.

	Yes	No
1. This report includes the attachments described in Part D.	☐	☐
2. This report includes more than one Part F.	☐	☐

If yes, how many? _____

Date	Type or print name, title, address and telephone number of designated representative(s)	Signature of designated representative(s)

"Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than 5 years, or both." Title 18, Section 1001, United States Code.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
1800 G Street, N. W.
Washington, D. C.

TEXTILE FIELD TASK FORCE
Training Seminar
Room 1213
September 7 & 8, 1967

George O. Butler, Program Co-ordinator -- Presiding

FIRST DAY

MORNING SESSION

9:15 - 9:30 a.m.	Opening Remarks - Introductions George O. Butler, Deputy Director Office of Technical Assistance
9:30 - 10:15	— Chairman Alexander — Vice Chairman Holcomb — Commissioner Ximenes (Jiménez) — Gordon Chase, Staff Director — Edward Sylvester, Director Office of Federal Contract Compliance (OFCC) A Total Approach to the Elimination of Discrimination in an Industry The Honorable Samuel C. Jackson Commissioner and Project Director
10:15 - 10:30	COFFEE BREAK
10:30 - 11:10	Interpretation of Title VII of the Civil Rights Act of 1964 — The Law Kenneth F. Holbert (ex. chief of Conciliation) Acting General Counsel — Compliance and Conciliation in North and South Carolina Eric Springer, Director Atty — Univ of Pittsburgh. Office of Compliance

11:10 - 11:45	Profile of the Textile Industry Dr. Phyllis A. Wallace, Economist Chief of Technical Studies —
11:45 - 12:30 p.m.	Socio-Economic Data Susie Foshee BSU — Typewriter
12:30 - 2:00	LUNCH
AFTERNOON SESSION	THREE MONTH FIELD EXPERIENCE IN SOUTH CAROLINA
2:00 - 4:30	— The South Carolina Program Donald Hollowell, Director Atlanta Regional Office — Techniques for Textile Plant Visits and Experiences in South Carolina Harold Kramer Charles Wilson Atlanta Regional Office — New Plant Visits - Community Program Alan Gibbs Henry Ford
4:30 - 5:00	Manpower Development Training Programs - Availability of Funds Neil B. McArthur, Deputy Assistant, Manpower Administration Department of Labor
5:00 - 5:15	EEOC Publications and Press Release Gladys B. Uhl, Director Public Affairs

SECOND DAY

MORNING SESSION	PROPOSED PROGRAMS
10:00 - 10:15	The OFCC Compliance Program for the "Big Ten" Robert Hobson and David Franklin OFCC Dept. of Defense Representative
10:15 - 10:45	The North Carolina Program D. S. Coltrane, Director North Carolina Good Neighbor Council Boyce C. Medlin, Project Director — Community Program Richard Woodward
10:45 - 11:15	South Carolina Community Support Program Jean Fairfax, Legal Defense Fund Mordecai Johnson, Project Director
11:15 - 12:30	Group Discussion - Coordination and Phasing of Field Follow-up Programs Mr. Butler, Moderator Harold Kramer, ATRO B. Medlin M. Johnson — AME ZION Duke - U of N.C. DOD Representative Wake Forest Duke B.D. Baptist NCF Boyce
12:30 - 1:30	LUNCH

AFTERNOON SESSION

1:30 - 2:00	State Programs in North and South Carolina (N. C. Fund-MITC; Charlotte Bureau of Employment and Training, Project Assist, Project T-Square) Gloria C. Riordan, Liaison Officer
2:00 - 2:30	Reporting Susie Foshee Atl, Spelman, Wash - Fed govt housing economists + Tex H.U.D. FHA
2:30 - 3:00	Examples of Successful Affirmative Action Programs George O. Butler

SUMMARY

The Federal Government has accused the Allen-Bradley Company of discriminatory employment practices. If this charge is not disproven by the Company the effects ON THE WORKERS IN THE PLANT could be disasterous. The only ways apparent that the disaster could be avoided would be . . . if the government finds that the Company does not discriminate, or, . . . if the Company would pledge (probably in writing) to hire more minority group people in the plant as soon as possible.

If the Company is found to be guilty of discriminatory employment practices, and THEY REFUSE TO ASSURE THE GOVERNMENT that they will end this practice as soon as possible, a LARGE PORTION OF THE WORK FORCE WILL BE FACED WITH LAYOFFS. The layoffs would come because the Federal Government would pull all government work out of this plant. Because of this possibility, the Executive Board, and a subsequent membership meeting approved unanimously to send the following letter:

UE LOCAL 1111

United Electrical, Radio and Machine Workers of America

939 SOUTH SECOND STREET • MILWAUKEE, WISCONSIN 53204 • 645-2769

June 10, 1968

Allen-Bradley Company
1201 South Second Street
Milwaukee, Wisconsin 53204

Att: Mr. Sam Hay, Labor Relations Manager

Gentlemen:

We were relieved to hear that the Company requested a hearing from the Department of Labor to answer charges of alleged discriminatory employment practices.

We urge the Company to take all necessary steps to avoid the withdrawal of any government work which the Local 1111 Bargaining Unit is involved in, since the withdrawal of any work from our plant would certainly effectuate further layoffs. The possibility of further recalls from the list of laid off employees would certainly be eliminated also. These two effects are of prime importance to us.

We also urge the Company to take whatever actions are necessary to remove this Company, and its workers, from the shadow of the cloud of discrimination which has apparently been hanging over this plant for quite some time now. You owe it to yourselves, this Union, and your loyal work force to remove this shadow.

Over the years which we have been negotiating with you, we have tried repeatedly to get a non-discriminatory hiring clause included in the Labor Agreement. Each time we failed because you did not feel it was necessary.

Now, we request that the Company, and this Union, meet as soon as possible to negotiate an amendment to our Agreement so that it includes a non-discriminatory hiring clause. We believe that this would be a positive step toward eliminating future allegations, charges, or doubts as to whether this Company discriminates in their employment practices.

Yours truly,
LOCAL 1111,
United Electrical, Radio and
Machine Workers of America, (UE)

Nick Ballas

Nick Ballas, President

COLLISION COURSE!

June 19, 1968

When a Company DELIBERATELY VIOLATES their Labor Agreement they are heading on a "COLLISION COURSE". The A.B. Company appears to have chosen that course.

As of Monday, June 10, 1968, the Company decided to eliminate the third shift in Department 310. This happened, not only because of a decrease in customer orders, but also from the rapid elimination of jobs through technological changes, and an over-abundance of resistor shelf stock.

After closing down the 3rd shift, the Company was able to spread the 3rd shift workers around on empty machines on the 2nd and 1st shifts. After doing this, approximately 90 workers were transferred out of 310 and distributed throughout the plant as vacation fill-ins.

At this point the Company decided they would not transfer the workers out from the bottom of the entire 310 seniority list, but, instead, would transfer 17 workers from the bottom of the category C job list, and 72 workers from the bottom of the category A job list. This meant that a number of lower seniority category C workers would remain in 310 while higher seniority category A workers would be transferred out. Needless to say, this caused quite an uproar among the 310 workers.

The Union immediately called for 1st, and 2nd Step Grievance meetings, and held them both on the same day. At the 2nd Step meeting Ted Hutton related the Company's position to the Union. He informed us that there would be too many problems if the Company followed straight seniority, so they decided to transfer workers out of 310 as is spelled out in the above paragraph. The Union demanded that the Company follow the Contract but the Company refused to comply.

A 3rd Step Grievance meeting was demanded and it is being held as this leaflet is being written. It is our belief that if the Company does not back off of their Contract violation at this step of the grievance procedure we will be able to go directly to the Wisconsin Employment Relations Commission (WERC) with an unfair labor practice charge. A Contract violation is an unfair labor practice in the state of Wisconsin, and since the Company admits the violation, we should be able to get speedy relief.

If the Union cannot get this issue resolved satisfactorily by either getting the Company to back off, or by speedy action from the WERC, A SPECIAL EXECUTIVE BOARD MEETING WILL BE CALLED TO DECIDE OUR COURSE OF ACTION.

The Union will continue to attempt to negotiate a settlement of the category A and category C job transfer problems which arise when there are too many category C workers in a given department, and the only available jobs in the plant are category A jobs.

The Union has set up a meeting with the Chicago office of the Federal Government's Equal Employment Opportunity Commission for next week Thursday. The Union is seeking advice from the Commission on ways to resolve this problem.

UE LOCAL 1111 NEWSLETTER

JULY 1968

ALLEN-BRADLEY WORKERS

"FEDS" SET DATE The U.S. Government has set Tuesday, August 20, 1968 as the hearing date for the "discriminatory employment practices" charge which they filed against the Allen-Bradley Company.

The Union was sent a copy of the complaint which contains the charges made against the Company and, also, an invitation to attend the hearing.

An appropriate number of Executive Board members will attend.

Because of the importance of this issue, and the possible drastic, long-term effect it could have on YOUR JOBS AT A-B, a more complete report will be given at a future date.

ARBITRATION CASES As was reported in a previous leaflet, the Union has taken four unresolved grievances to arbitration. All four cases have been presented to arbitrators, at least partially, and we should conclude the last case on Monday, August 12th.

A rough estimate of the total cost of arbitrating these four grievances adds up to an expenditure of at least $6,000.

It also appears that at least one, and possibly three more grievances, will end up in arbitration.

Are YOU helping to pay the cost of policing and enforcing YOUR Contract with the Company, or, are you riding free on the backs of your fellow workers?

MEMBERS: How long will you tolerate the free rides that some of your fellow workers are having on you? The principled move to make would be to SIGN THEM UP ---- NOW !!!!!

WERC HEARING DATE SET The Union unfair labor practice charges which were filed before the Wisconsin Employment Relations Commission will be heard on Wednesday, September 4, 1968, at 10 o'clock in the morning.

These charges were filed after the Company deliberately violated the Contract in 310 transfers and, now, compounds the charge with further violations. (See opposite side).

NLRB CHARGE COMPLETED By the end of the day, today, the Union will have concluded its filing of affidavits in support of our unfair labor practice charges filed before the National Labor Relations Board over the Company's SPEED-UP program. Requests for additional, supporting information by the NLRB, plus busy schedules of the Union's officers and the NLRB agent, has delayed the conclusion of this action.

DON'T BE A FOOL The following discussion took place in one of the SPEED-UP departments.

FEMALE WORKER: (To President Ballas) Can the boss get away with this? I have been working on this job for the past year and a half, and I've always produced about 180 parts per day without any complaints from the boss. About 3 or 4 months ago he started to call me up to the desk, once a week, and told me that I had to make what the other girls were making. (200 pcs. per day)

BALLAS: Did you do it?

FEMALE WORKER: I had to, because he kept riding me. He said I was only producing at 95% performance, and all the other girls were doing 100%. I really had to work hard though, because I'm naturally slow.

But that's not all. Now he calls me up to the desk whenever I don't make 200 pcs. I feel like he made a fool of me.

BALLAS: I think you hit the nail on the head.

FEMALE WORKER: Now the louse is telling the other girls that since a slow girl like me can make 200 per day, then the old performance rate must have been wrong. Now he says 100% performance is 220 pcs.

BALLAS: Are there any other girls making 220?

FEMALE WORKER: I think so.

THIS DISCUSSION DID TAKE PLACE IN DEPARTMENT 215.

DON'T BE FOOLS ! ! ! If you let a boss SPEED YOU UP you are his fool. REMEMBER ! ! ! TODAY'S MAXIMUM IS TOMORROW'S MINIMUM. No worker can afford this kind of RAT RACE.

GRIEVANCE REPORT

By — ROBERT GAULKE — Chief Steward

The following grievance report is for the months April, May, and June 1968. This report does not include grievances processed by the department stewards.

Production (Efficiency) Standards	15
Downgrading	2
Job Posting	7
Seniority	4
Discipline	6
Bonus	14
Transfer	12
Classification	12
Blue Cross-Blue Shield	11
Raise In Pay	12
Retro Pay	4
Term. of Employment	1
Pay Retention (Red Circle)	2
Discrimination	4
Vacation	3
H&A Benefits	1
Profit Sharing	2
Pension	3
Group Life Insurance	2
New Job Descriptions	3
Miscellaneous	18

----- 138 Grievances Processed
----- 120 Completed
----- 18 Being Checked

Total amount of grievances processed from January 1 thru June 30, 1968:

----- 327 Grievances Processed
----- 303 Completed
----- 24 Being Checked

In the latest issue of the Company's GOSSIP magazine, they tried to "explain" to the department 310 people that the recent moves and transfers which took place were made "in the best interests of A-B people". It also went on to say that the "affected employees should bear with us during these somewhat trying times as WE try to work out OUR problems TOGETHER."

Well, these certainly are trying times, because in addition to the many arbitration cases which the Union is presently involved in, the Company has seen fit to create further problems for us. Now they are messing around with the Contract language as it specifically pertains to the recall of laid off employees.

A recent trip to the Federal Government's Chicago office of the Equal Employment Opportunity Commission was made by President, Nick Ballas, and Chief Steward, Robert Gaulke. It was discovered that PARTS OF OUR PRESENT CONTRACT, AS IT PERTAINS TO CATEGORY "A" AND "C" JOBS, AND THE EFFECTS IT HAS ON WOMEN DURING PERIODS OF TRANSFER AND LAYOFF, ARE IN VIOLATION OF THE FEDERAL LAW.

Yes, these certainly are trying times. . . . and, there is no question that additional discussion will have to be held, and a movement of employees, OTHER THAN WHAT IS PRESENTLY PROVIDED FOR, will have to be negotiated. However, the fact remains that the Contract WAS VIOLATED in the recent 310 transfers (SINCE CORRECTED), and we very seriously question whether the "best interests of A-B people" were served by the Company's flagrant violation.

We certainly DISAGREE that "OUR" problems are being worked out "TOGETHER". The most recent example of this is the recalling of employees from the laid off list in violation of our Contract (Par. 81), which states in part, that, employees "shall be recalled in order of seniority". The Company, instead, is recalling on the basis of CATEGORY, regardless of plant seniority.

They claim they arrived at this decision, because they experienced much trouble in former call backs with Category C people taking Category A jobs that were available without any thought as to whether they could do the job or not.

They go on further to say that they did not give Category C people the right to Category A jobs when they were laid off; so, therefore, they are being consistent in not giving them that right upon recall.

Needless to say, the Union objects. Not only is Paragraph 81 being violated, but denying an employee the right to a job when available in a category of his own selection is a VIOLATION OF THE LAW. We are not willfully going to be a part of a system which is in violation of the law, nor are we going to allow our Contract to be violated.

Meetings with the Company, on this particular issue, are presently being held, and in the very near future, the Union will seek negotiations in an attempt to rectify those paragraphs that are in noncompliance and to reach a solution that will benefit all of the workers when we become involved in layoffs, transfers, and recalls.

IN THE MEANTIME, THE UNION CALLS UPON THE COMPANY TO "MUTUALLY WORK OUT OUR PROBLEMS" and to work them out with the "BEST INTERESTS OF THE EMPLOYEES" in mind.

Yes, he's "out", and every Allen-Bradley worker knows what an "OUT" is. Here's how too many OUTS have affected Allen-Bradley workers.

On Tuesday, July 16, 1968, the Executive Board of Local 1111 instructed the Secretary-Treasurer to borrow $7,500 from the Union's STRIKE AND/OR DEFENSE FUND. This action came after authorization to close out the GENERAL FUND, and transfer the last $6,500 in it to the Checking account. This means that there ISN'T ANY MORE MONEY IN THE GENERAL FUND, and there WON'T BE until after Monday's dues collections.

This action was necessary to enable the Union to PAY ITS BILLS for the coming month, and also to cover the staggering costs of the 4 arbitration cases and the 2 unfair labor practice charges.

WHAT CAUSED THE GENERAL FUND TO BE DEPLETED ? ? ? ?

The CONTINUING INCREASES in the COST OF LIVING has caused the OPERATING COSTS OF THE UNION to go up, just as it has for you and your families. The only difference between the EFFECT ON THE RISING COSTS ON YOU, as compared to your Union, is, every worker received TWO WAGE INCREASES (7% and 4%) while the Union's income stayed the same (dues - $5.00).

THE UNION'S INCOME WOULD HAVE INCREASED IF THE "INS" (MEMBERS) WOULD HAVE REDUCED THE "OUTS" (FREE-RIDERS). THIS WAS NOT DONE.

Aside from the regular amount of free-riders that this Union Membership has tolerated, there has also been an increase in the "IN-AND-OUTERS". (This is the OSTERICH TYPE WORKER who brings his head out of the sand at Contract negotiating time, joins the Union for a month or two, and then becomes another "OUT" by burying his head in the sand for the duration of the Contract.)

The latest FAD at A.B has also increased the "OUTS" for the Union Team. The FAD is to BLAME THE UNION for the transfers, layoffs, and the closing down of the 2nd and 3rd shifts in 310, which resulted from the decline in the COMPANY'S BUSINESS.

WHERE DO WE GO FROM HERE ? ? ? ?

The Executive Board has also ordered the Constitution Committee back into session to "consider diverting some of the 90 cents per member, per month, which is presently going into the STRIKE AND/OR DEFENSE FUND, into the General Fund." THIS MOVE CAN AFFECT THE WELFARE OF EVERY A.B. WORKER ("INS" AND "OUTS") AT THE NEXT CONTRACT NEGOTIATIONS, AND IS ONLY A STOP-GAP MEASURE.

THE PERMANENT SOLUTION CAN ONLY COME WHEN THE UNION MEMBERS MAKE UP THEIR MINDS TO ELIMINATE THE "OUTS". WHY NOT START NOW ? ? ? ?

8/2/68

COMPANY MUST MOVE!

THERE IS NO PICKET LINE IN FRONT OF ALLEN BRADLEY THIS MORNING! THERE IS NO DEMONSTRATION GOING ON IN FRONT OF ALLEN-BRADLEY THIS MORNING! THE ONLY REASON THAT THERE IS NO PICKET LINE OR DEMONSTRATION IS BECAUSE OF THE ACTIONS TAKEN YESTERDAY BY THE TOP OFFICERS OF YOUR LOCAL UNION.

The top officers, along with officials from the District leadership of the UE met with the leadership of the NAACP Youth Council and Father Groppi.

WHAT THE NAACP YOUTH COUNCIL TOLD THE UNION

1. The council has no quarrel with Allen-Bradley workers or their union. They are making no demands that would interfere with the operation of the seniority clause in our contract.

2. They recognize that laid off A-B workers have recall rights. Their basic demand is that the Company agree to hire negro people and that they be the first hired, until they constitute 10% of the work force.

3. If the Company does not agree to this proposal, they are going to launch a militant, long lasting campaign at the gates of Allen-Bradley. The Council leaders made it crystal clear that their members are quite prepared to make heavy sacrifices in such a campaign, including the risks of mass arrests.

4. The Council would like the support of the Union Membership, but it would launch this campaign with or without our support.

WHAT THE UNION TOLD THE NAACP YOUTH COUNCIL

1. The UE was a pioneer in the fight against discrimination by the corporations since it was founded in 1935. Local 1111 has demanded a No Discrimination clause in the Allen-Bradley contract for many years, but has been unable to get it from this Company.

2. A campaign at the Allen-Bradley gates could lead to many problems - both for our membership and for the Civil Rights Movement. As a responsible union leadership, we would like to make one more try at convincing the Company to concede on this issue. In order to make this try, however, we must work through the regular democratic channels of our organization. This would mean discussions with our Executive Board, our Steward Council and approval of our actions by a Membership meeting. We would ask our members to authorize the Union to negotiate a hiring policy commitment by the Company - along the lines of the 10% proposal made by the Youth Council (10% of the Milwaukee area population is black).

3. It would take about a week to set up a membership meeting and to work out such a proposal with the Company, if the Company was willing to agree at all. It was our opinion that it would be easier to discuss the problem with our members and with the Company <u>before</u> there were any picket line confrontations. We asked the Youth Council if they would be willing to delay their campaign for one week in order to give our proposal the best possible chance.

If you were watching TV on Channel 4 last night or read your morning paper, you know that the NAACP Youth Council agreed to delay their campaign until next Tuesday. They also made it quite clear that if results are not forthcoming by that time, their campaign will begin <u>on that day</u>.

(over, please)

SCOTCH THE RUMORS !!!

What is written above represents the only commitment that the Union has made to anyone on Allen-Bradley's hiring policies, seniority, etc. Every plant has its share of misguided souls who spread all kinds of wild stories and deliberate lies. The Union has not, and will not, make any commitments that would tamper with the seniority of anyone working at Allen-Bradley or who is on the seniority list.

ONE THOUSAND JOBS ARE AT STAKE!

Allen-Bradley workers face a very serious situation if the Company continues to refuse to change its hiring policies. The U.S. Government has already threatened to remove all military orders from the plant. (One of the Government arguments is that less than 1% of A-B workers are Negro in a city having a black population of 10%.) If a mass campaign develops at the plant gates, Government action will become even more likely - namely the removal of about 25% of the work in the plant. Since Cutler Hammer, Square D, GE, Westinghouse and other electrical equipment makers aren't in trouble with the government on hiring policies, these companies will be ready, willing and able to snatch up the work that Allen-Bradley loses. Perhaps the Allen-Bradley top brass enjoys fighting with the government, but about one thousand Allen-Bradley workers who will be laid off, will have a different view.

It is time for the Allen-Bradley management to come into the 20th century to obey the law of the land, and to live up to their obligations to their employees and to all the citizens of Milwaukee - both black and white. Other major factories in Milwaukee have recognized that they can no longer discriminate in their hiring policies. It is time for Allen-Bradley to demonstrate the same policy.

= = = = = = = = = = = =

SCHEDULE OF EVENTS

= = = = = = = = = = = =

Steward Meetings

THURSDAY - - - - - - - - - - AUGUST 8TH

12:00 Noon - Second shift

3:45 P.M. - First shift

Third shift attend either meeting

- -

M E M B E R S H I P M E E T I N G

SATURDAY, AUGUST 10TH

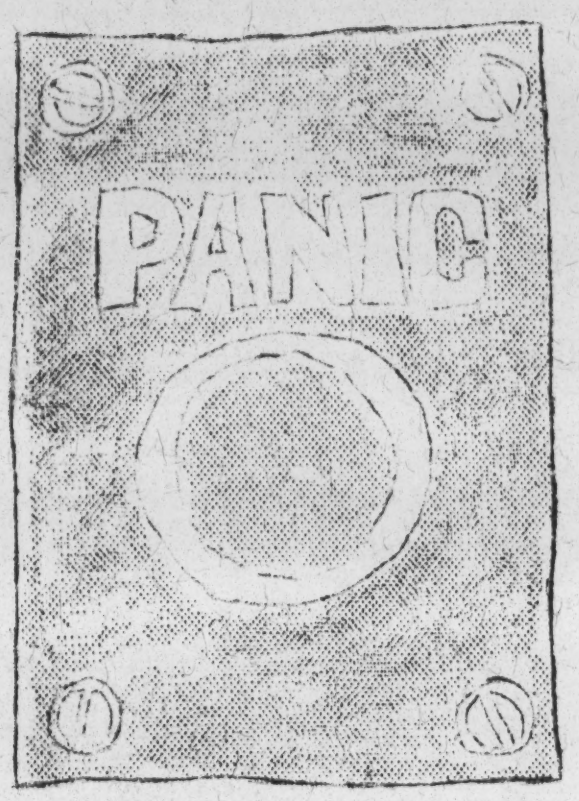
10:00 A.M.

PLACE - - Announced in future flier

Executive Board Meetings

(As many as needed)

8/7/68



DON'T PUSH IT!

Yes, the easiest thing to do is to press the panic button. The results of the slightest push on this button is the immediate release of fear, panic, and the elimination of reasoning. It also starts the SEARCH FOR A SCAPEGOAT.

THERE IS NO REASON FOR ANY ALLEN-BRADLEY WORKER TO HAVE A HAND ON THE "PANIC" BUTTON AT THIS TIME. THE ISSUES WHICH PRESENTLY FACE ALL OF US WERE NOT CREATED BY THE LEAFLET WHICH THE UNION RELEASED YESTERDAY. THOSE ISSUES WERE CREATED BY THE ALLEN-BRADLEY COMPANY.

WHAT ARE THE ISSUES ? ? ?

1. The charges of DISCRIMINATION IN EMPLOYMENT PRACTICES which the FEDERAL GOVERNMENT has made against the Allen-Bradley Company. These charges are against the ALLEN-BRADLEY COMPANY, and NOT THE UNION, OR THE A-B WORKERS. These charges will be heard on Tuesday, August 20, 1968.

2. The actions which the Government could take against the Company if they conclude that the COMPANY IS GUILTY.

3. The effects which those actions could, AND WOULD, have on the ALLEN-BRADLEY WORKERS.

4. The demands which the NAACP Youth Council has made to the ALLEN-BRADLEY COMPANY.

5. The position taken by the Company regarding these demands.

6. WHETHER THE UNION SHOULD SIT BACK AND LET THE COMPANY, THE CIVIL RIGHTS GROUPS, AND THE FEDERAL GOVERNMENT SLUG IT OUT.

7. WHAT EFFECTS A HANDS-OFF POSITION, BY THE UNION, WOULD HAVE ON YOUR JOBS AND YOUR WELFARE.

8. WHAT EFFECTS AN OPEN BATTLE BETWEEN THE CIVIL RIGHTS GROUPS AND THE ALLEN-BRADLEY COMPANY WOULD HAVE ON YOU.

There isn't an Allen-Bradley worker, outside of the Union Executive Board, who has heard a COMPLETE REPORT on the above issues. Therefore, it would be safe to state that the FINAL CONCLUSIONS, which some of you are tossing around, have been reached AFTER YOU HAVE PRESSED THE PANIC BUTTON.

Get the FULL REPORT at the SPECIAL MEETING which will be held this SATURDAY, August 10th, at the RIVERSIDE THEATRE. The meeting will start at 8:00 A.M. THIS IS THE LARGEST HALL WE COULD GET ON SO SHORT A NOTICE, AND WE MUST BE OUT OF THE THEATRE BY 11:45 A.M. Parking is available in the public lots which are near the theatre. All workers in the UE Bargaining Unit may attend this meeting.

UE LOCAL 1111
8/8/68

EXTENDING THE HAND OF FRIENDSHIP

and OPPORTUNITY TO THE UNEMPLOYED

OF THE NEGRO COMMUNITY

(an equal opportunity employer...and we mean it!)

ALLEN-BRADLEY

Member of NEMA

QUALITY MOTOR CONTROL

This ad appeared in "THE MILWAUKEE STAR" newspaper, which is a Negro community weekly publication.

We call your attention to the date of the ad (top of page).

Now we call your attention to the fact that on May 23, 1968, the Office Of Federal Contract Compliance, of The U.S. Department Of Labor, notified the A.B. Company that they were in violation of the provisions of the Presidential Executive Order, which bars discrimination in employment by firms who receive work from Federal Government Contracts. The notice stated that the Government proposed to terminate all existing Government work at A.B., and also to bar the Company from elegibility for any future Government work.

The A.B. Company requested a hearing over this matter, and the Government set August 20, 1968 as the hearing date.

After the hearing, if the Government rules that A.B. is guilty of discrimination, ALL GOVERNMENT WORK WILL BE PULLED OUT OF THE PLANT AND NO FURTHER WORK WILL BE AWARDED. (It doesn't take a mental giant to figure out that this will cause a SUBSTANTIAL LAYOFF OF PRESENT WORKERS.)

UNLESS ! ! ! (and we quote from the Federal Government's notice) "the Respondent (A.B.C6mpany) has satisfied the Director (US Dept. of Labor) that it has established and will carry out personnel and employment policies in compliance with provisions of the (Presidents) Executive Order".

Want to know what the Company has done since receipt of the Federal Government's charges to comply with the "UNLESS" provisions spelled out above ?

THEY HAVE RUN AN AD (ABOVE) FOR SEVERAL WEEKS, AND HAVE HIRED TWO OR THREE NEGROES IN THE OFFICE FORCE.

The Union has made some checks with an agent from the U.S. Department of Justice, Community Relations Division, and was informed that the Company actions to date are not enough to satisfy the Federal Government.

This means that UNLESS THE UNION CAN CONVINCE THE COMPANY THAT SUBSTANTIALLY MORE PEOPLE MUST BE HIRED FROM NON-WHITE MINORITY GROUPS, many hundreds of Allen-Bradley workers are destined to be laid off.

WE CANNOT AFFORD TO TURN OUR BACKS AND HIDE FROM THIS PROBLEM. 8/9/68

UE Local 1111

M- EEO

Mr. Vio: These fliers were passed out at the meeting Saturday and I would be obligated to you if you would keep me and pass the attached copies to persons indicated to update their files. Thank You. D. Rasmussen, Vice Sec'y Local 1111

QUOTED BELOW ARE KEY PARTS OF THE U.S. GOVT. DISCRIMINATION CHARGES AGAINST A-B

8-10-68

"In 1960, the City of Milwaukee had a population of 741,324, of whom 62,458 were Negro. The estimated present population of the City of Milwaukee is 776,000, of whom 87,000 are estimated to be Negro. Respondent's present workforce is approximately 6,800, of whom 32 (less than ½ of 1 percent) are Negro. Respondent's plant is located approximately two miles from the nearest Negro residential community. Public transportation is available to the door, and the facility is located near a major bus transfer point."

"Since March 6, 1961, Respondent has violated, and continues to violate its contracts with agencies and departments of the Federal Government by discriminating against employees and applicants for employment because of their race or color, and by failing or refusing to take affirmative action to ensure that persons are recruited, hired and treated during employment without regard to their race or color. These violations include:

(a) Respondent, as its primary source of employees, relies and for many years has relied upon the referral by its employees of their friends and relatives and upon its reputation as a desirable employer. Respondent disseminates and for many years has disseminated information about job opportunities almost entirely through its employees. Since Respondent's workforce is and for many years has been over 99% white, knowledge of new job opportunities is and has been almost entirely limited to the white community, giving the white community a preference to and denying Negro persons equal access to jobs at Respondent's facility;

(b) Respondent gives, and for many years, has given preference to relatives and friends of present employees in the filling of job vacancies, and as over 99 percent of its workforce is and has been drawn from the white community, Respondent thereby engages in a hiring practice which has the effect of discriminating against Negro persons;

(c) Respondent utilizes hiring standards, including pre-employment tests, which have the effect of discriminating against Negro applicants for employment because of their race or color; and

(d) Respondent has failed or has refused to utilize employment sources which primarily serve the Negro community and to take other action to dispel its image in the Negro community as an employer which discriminates against Negro persons on the basis of race and color, which image discourages the referral of Negro applicants to and discourages Negro persons from applying for employment with respondent and thereby denies to them equal employment opportunity with Respondent."

"The Government has made reasonable efforts to secure compliance by the Respondent with the "equal opportunity clause" by methods of conference, conciliation, mediation, and persuasion. These reasonable efforts includea numerous conciliation meetings between Respondent and the Department of Defense since 1964, including a conference on April 4, 1968, in Washington, D. C., attended by Respondent officials and representatives of the Office of Federal Contract Compliance and the Department of Defense. At that time, as in the past, Respondent failed and refused to take adequate steps to elimiante the conditions described in paragraph IV of this Notice."

(over, please)

"WHEREFORE, The Secretary of Labor has designated as the Panel to hear and and determine this matter in accordance with the attached Rules of Procedure,

Chairman

Professor Bernard Meltzer,	University of Chicago Law School 1121 East 60th Street Chicago, Illinois 60637
Mr. Boyd Leedom,	Trial Examiner National Labor Relations Board Room 419 1717 Pennsylvania Avenue, N. W. Washington, D.C. 20570
Mr. Philip G. Marshal,	Attorney at Law 110 East Wisconsin Avenue Milwaukee, Wisconsin 53203

and to recommend to the Director whether,

(a) pursuant to Section 209 (a) (5) of Executive Order 11246, the Director shall cause to be terminated all existing contracts or any portion or portions thereof which the Respondent holds with agencies and departments of the Federal Government and all subcontracts as defined in 41 CFR Section 60-1.2 (k); and

(b) pursuant to Sections 202 and 209 (a) (6) of Executive Order 11246 and 41 CFR 60-1.27 (b), the Director shall declare the Respondent ineligible for further contracts, subcontracts and extensions of existing contracts or subcontracts until the Respondent has satisfied the Director that it has established and will carry out personnel and employment policies in compliance with the provisions of Executive Order 11246; and

(c) other appropriate action authorized by Section 209 of Executive Order 11246 shall be taken."

"The Hearing will be held at 9:30 a.m., on August 20, 1968, in Room 498, the United States Court House and Federal Building, 517 East Wisconsin Avenue, Milwaukee, Wisconsin."

- -

The Government procedure in such cases is to ask the Company to come up with proposals that will be "adequate steps" to correct their practices.

The Government has taken the position that the proposals made by A-B are not "adequate steps", and that all government contracts should be withdrawn and no new ones awarded.

Local 1111
8/10/68

Mr. Haggland

QUOTED BELOW ARE KEY PARTS OF THE U.S. GOVT. DISCRIMINATION CHARGES AGAINST A-B

"In 1960, the City of Milwaukee had a population of 741,324, of whom 62,458 were Negro. The estimated present population of the City of Milwaukee is 776,000, of whom 87,000 are estimated to be Negro. Respondent's present workforce is approximately 6,800, of whom 32 (less than ½ of 1 percent) are Negro. Respondent's plant is located approximately two miles from the nearest Negro residential community. Public transportation is available to the door, and the facility is located near a major bus transfer point."

"Since March 6, 1961, Respondent has violated, and continues to violate its contracts with agencies and departments of the Federal Government by discriminating against employees and applicants for employment because of their race or color, and by failing or refusing to take affirmative action to ensure that persons are recruited, hired and treated during employment without regard to their race or color. These violations include:

(a) Respondent, as its primary source of employees, relies and for many years has relied upon the referral by its employees of their friends and relatives and upon its reputation as a desirable employer. Respondent disseminates and for many years has disseminated information about job opportunities almost entirely through its employees. Since Respondent's workforce is and for many years has been over 99% white, knowledge of new job opportunities is and has been almost entirely limited to the white community, giving the white community a preference to and denying Negro persons equal access to jobs at Respondent's facility;

(b) Respondent gives, and for many years, has given preference to relatives and friends of present employees in the filling of job vacancies, and as over 99 percent of its workforce is and has been drawn from the white community, Respondent thereby engages in a hiring practice which has the effect of discriminating against Negro persons;

(c) Respondent utilizes hiring standards, including pre-employment tests, which have the effect of discriminating against Negro applicants for employment because of their race or color; and

(d) Respondent has failed or has refused to utilize employment sources which primarily serve the Negro community and to take other action to dispel its image in the Negro community as an employer which discriminates against Negro persons on the basis of race and color, which image discourages the referral of Negro applicants to and discourages Negro persons from applying for employment with respondent and thereby denies to them equal employment opportunity with Respondent."

"The Government has made reasonable efforts to secure compliance by the Respondent with the "equal opportunity clause" by methods of conference, conciliation, mediation, and persuasion. These reasonable efforts included numerous conciliation meetings between Respondent and the Department of Defense since 1964, including a conference on April 4, 1968, in Washington, D. C., attended by Respondent officials and representatives of the Office of Federal Contract Compliance and the Department of Defense. At that time, as in the past, Respondent failed and refused to take adequate steps to elimiante the conditions described in paragraph IV of this Notice."

(over, please)

"WHEREFORE, The Secretary of Labor has designated as the Panel to hear and and determine this matter in accordance with the attached Rules of Procedure,

Chairman

Professor Bernard Meltzer, University of Chicago Law School
1121 East 60th Street
Chicago, Illinois 60637

Mr. Boyd Leedom, Trial Examiner
National Labor Relations Board
Room 419
1717 Pennsylvania Avenue, N. W.
Washington, D.C. 20570

Mr. Philip G. Marshal, Attorney at Law
110 East Wisconsin Avenue
Milwaukee, Wisconsin 53203

and to recommend to the Director whether,

(a) pursuant to Section 209 (a) (5) of Executive Order 11246, the Director shall cause to be terminated all existing contracts or any portion or portions thereof which the Respondent holds with agencies and departments of the Federal Government and all subcontracts as defined in 41 CFR Section 60-1.2 (k); and

(b) pursuant to Sections 202 and 209 (a) (6) of Executive Order 11246 and 41 CFR 60-1.27 (b), the Director shall declare the Respondent ineligible for further contracts, subcontracts and extensions of existing contracts or subcontracts until the Respondent has satisfied the Director that it has established and will carry out personnel and employment policies in compliance with the provisions of Executive Order 11246; and

(c) other appropriate action authorized by Section 209 of Executive Order 11246 shall be taken."

"The Hearing will be held at 9:30 a.m., on August 20, 1968, in Room 498, the United States Court House and Federal Building, 517 East Wisconsin Avenue, Milwaukee, Wisconsin."

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The Government procedure in such cases is to ask the Company to come up with proposals that will be "adequate steps" to correct their practices.

The Government has taken the position that the proposals made by A-B are not "adequate steps", and that all government contracts should be withdrawn and no new ones awarded.

Local 1111
8/10/68

James Harvey

QUOTED BELOW ARE KEY PARTS OF THE U.S. GOVT. DISCRIMINATION CHARGES AGAINST A-B

"In 1960, the City of Milwaukee had a population of 741,324, of whom 62,458 were Negro. The estimated present population of the City of Milwaukee is 776,000, of whom 87,000 are estimated to be Negro. Respondent's present workforce is approximately 6,800, of whom 32 (less than ½ of 1 percent) are Negro. Respondent's plant is located approximately two miles from the nearest Negro residential community. Public transportation is available to the door, and the facility is located near a major bus transfer point."

"Since March 6, 1961, Respondent has violated, and continues to violate its contracts with agencies and departments of the Federal Government by discriminating against employees and applicants for employment because of their race or color, and by failing or refusing to take affirmative action to ensure that persons are recruited, hired and treated during employment without regard to their race or color. These violations include:

(a) Respondent, as its primary source of employees, relies and for many years has relied upon the referral by its employees of their friends and relatives and upon its reputation as a desirable employer. Respondent disseminates and for many years has disseminated information about job opportunities almost entirely through its employees. Since Respondent's workforce is and for many years has been over 99% white, knowledge of new job opportunities is and has been almost entirely limited to the white community, giving the white community a preference to and denying Negro persons equal access to jobs at Respondent's facility;

(b) Respondent gives, and for many years, has given preference to relatives and friends of present employees in the filling of job vacancies, and as over 99 percent of its workforce is and has been drawn from the white community, Respondent thereby engages in a hiring practice which has the effect of discriminating against Negro persons;

(c) Respondent utilizes hiring standards, including pre-employment tests, which have the effect of discriminating against Negro applicants for employment because of their race or color; and

(d) Respondent has failed or has refused to utilize employment sources which primarily serve the Negro community and to take other action to dispel its image in the Negro community as an employer which discriminates against Negro persons on the basis of race and color, which image discourages the referral of Negro applicants to and discourages Negro persons from applying for employment with respondent and thereby denies to them equal employment opportunity with Respondent."

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Local 1111
8/10/68

Frank Lyons

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Local 1111
8/10/68

November 20, 1968

Dr. Phyllis A. Wallace
Office of Research
Equal Employment Opportunity Commission
1800 G Street, N. W.
Washington, D. C. 20506

Dear Phyllis:

I am uncertain as to whether the Office of Research has my current address. I resigned from the University of Wisconsin to rejoin the Southern Regional Council on a permanent basis.

I trust there will be further opportunities for us to work together.

Best personal wishes.

Sincerely,

Emory F. Via, Director
Labor Program

EFV/km

EV

IN THE

United States Court of Appeals

FOR THE FIFTH CIRCUIT

No. 24810

JAMES C. DENT and UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,
Appellants,

versus

ST. LOUIS-SAN FRANCISCO RAILWAY COMPANY, ET AL,
Appellees.

No. 24789

JOHN A. HYLER, ET AL,
Appellants,

versus

REYNOLDS METAL COMPANY, ET AL,
Appellees.

No. 24811

ALVIN C. MULDROW, ET AL,
Appellants,

versus

H. K. PORTER COMPANY, INC., ET AL,
Appellees.

No. 24812

WORTHY PEARSON, ET AL,
Appellants,
versus
ALABAMA BY-PRODUCTS CORPORATION, ET AL,
Appellees.

No. 24813

RUSH PETTWAY, ET AL, Individually and on behalf of others similarly situated, and UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,
Appellants,
versus
AMERICAN CAST IRON PIPE COMPANY,
Appellees.

Appeals from the United States District Court for the Northern District of Alabama

(January 8, 1969)

Before COLEMAN and CLAYTON,* Circuit Judges, and JOHNSON, District Judge.

*Judge Clayton, the third judge constituting the court, participated in the hearing and the decision of this case. The present opinion is rendered by a quorum of the court pursuant to 28 U.S.C.A. § 46, Judge Clayton having taken no part in the final draft of this opinion.

Manpower – Eq. Op – EEOC

Dirksen Says Rights Aide Is Harassing Businessmen

Continued From Page 1, Col. 3

cials upstaged him all over town.

First, Senator Dirksen virtually took over today's hearing, questioning witnesses by the hour.

Second, the Pentagon announced it had reached written agreement with one of three Southern textile concerns to insure against discrimination in hiring and promoting Negroes.

And, third, Secretary of Labor George P. Shultz told a National Press Club audience that the Administration was prepared to take "strong action" to bar discrimination in hiring practices by Government contractors, but would emphasize "mediation and persuasion."

The main targets of the Kennedy inquiry are Defense Department contracts with three Southern textile mills accused of discrimination against Negroes, and Transporation Department procedures in bids on Federal highway contracts.

But Senator Kennedy also said he was "very mindful" of reports that the Department of Health, Education and Welfare was under pressure to weaken its school desegregation guidelines.

Democrats clashed with Republicans, Northerners with Southerners at the most politically explosive encounter on Capitol Hill since President Nixon took office Jan. 20.

"You're playing politics," Senator Strom Thurmond, Republican of South Carolina, accused Senator Walter A. Mondale, Democrat of Minnesota.

"There is no more important politics than assuring racial justice," Senator Mondale replied tartly.

Hints at Dismissal

Earlier, Senator Dirksen hinted that he would see to it that Clifford L. Alexander Jr., chairman of the Equal Employment Opportunity Commission, would be dismissed "for harassing businessmen."

Mr. Alexander, a Negro and a holdover from the Johnson Administration, had testified that his commission had found that at one textile plant an unwritten rule "required blacks, but not whites, to use paper cups when drinking from a supposedly desegregated water fountain."

Accusing Mr. Alexander of conducting "carnival-like hearings on job discrimination in the motion picture industry recently. Senator Dirksen protested that "businessmen are streaming into Washington every day to complain they've been harassed by your operation."

"Either this punitive harassment is going to stop," the Illinois Republican said, "or somebody is going to lose his job or I'm going to the highest authority in this Government and get somebody fired."

Noting that he had "taken my political skin in my hands" by breaking a filibuster against a civil rights bill in 1964, Senator Dirksen said:

"We did not intend for one minute that these people, these work givers of industry and business, be harassed. Maybe we need some new personnel. Now, that's pretty plain talk."

Obviously angry, Senator Kennedy quickly rose to Mr. Alexander's defense.

"I hope no one has been threatened in here today because he is trying to do the job he is expected to do," Mr. Kennedy said.

"I think those who threaten your job do a great disservice to the American people," he declared. "They'll find they have as much trouble getting rid of you as they would anybody else."

In announcing a written agreement with Burlington Industries, Inc., to insure jobs for Negroes, the Pentagon cut the ground out from one—but not all—of the main targets of the Kennedy hearings.

Last month Deputy Defense Secretary David Packard had awarded $9.4-million in defense contracts to Burlington and two other Southern textile concerns, J. B. Stevens & Co., Inc., and Dan River Mills, Inc.

In doing so, Mr. Packard overruled his own Deputy Assistant Secretary of Defense for Civil Rights, Jack Moskowitz, a Johnson Administration holdover who is leaving the Government in May.

Mr. Moskowitz had recommended that the three textile contracts be withheld on the ground that the three companies had failed to bar discrimination.

Mr. Packard had awarded the contracts after reaching "oral agreement" with the companies that they would take positive steps to end discrimination.

Mr. Moskowitz testified today that Mr. Packard had "been advised" beforehand that such agreements should be in writing.

While written agreement has now been reached with Burlington Industries, the Pentagon said no new final agreement had been reached with the two other textile concerns but that negotiations were still under way.

Under the agreement, Burlington pledged to "develop specific goals and timetables for prompt achievement of full and equal employment opportunity." It also pledged to file periodic reports on recruitment, selection and promotion of Negroes and to rent company houses on a non-discriminatory basis.

Burlington Industries employs 61,000 workers.

Dirksen Upbraids U.S. Rights Official

By MARJORIE HUNTER

Special to The New York Times

WASHINGTON, March 27—Senator Everett McKinley Dirksen, accusing Federal officials of harassing businessmen over job discrimination, threatened today to "go to the highest authority in this Government and get somebody fired."

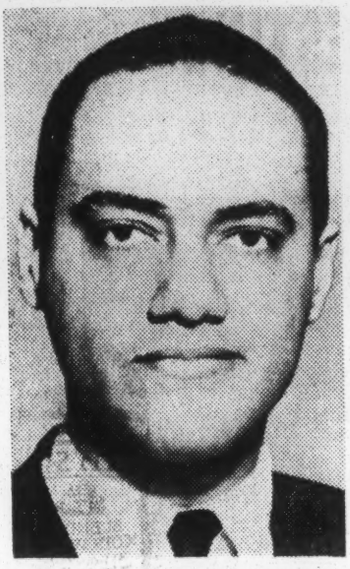
The Senate Republican leader's angry outburst came as a subcommittee headed by Senator Edward M. Kennedy opened hearings into the Nixon Administration's civil rights enforcement policies.

It was the Massachusetts Democrat's debut as chairman of the Judiciary subcommittee, but Nixon Administration offi-

Continued on Page 31, Column 4

CONCERT PIANIST recently returned from Europe will accept limited number of students, 724-4041.

EEOC



Associated Press Wirephoto
RAPS ADMINISTRATION
Clifford L. Alexander

Bias Chief Raps Nixon, Resigns

By JOHN CHADWICK

WASHINGTON (AP)—Quitting before he was fired, Clifford L. Alexander Jr. resigned as chief of the government's campaign against job discrimination Wednesday with a blast at the Nixon administration.

Alexander, a 35-year-old Harvard-educated Negro and a Democrat, said the conclusion is inescapable that vigorous efforts to enforce the law on employment discrimination "are not among the goals of this administration."

"It is my sincere hope," Alexander said in a letter to President Nixon, "that you will publicly dispel these ever increasing doubts."

STAND CLEAR

Nixon's press secretary, Ronald L. Ziegler, commented, "The President has, I think, made it very clear the administration intends to enforce the law in this area." He said the record will bear him out and added that "the entire direction and thrust of this administration has been positive" in the field of equal opportunties.

Alexander said his resignation as chairman of the Equal Employment Opportunity Commission will take effect May 1, unless Nixon wants it sooner. He said he intends to fill out the remaining three years of his term on the commission, which was created by the 1964 Civil Rights Act.

Alexander tangled with Sen. Everett M. Dirksen, R-Ill., last month when Dirksen told him during a Senate hearing that "harassment" of private business men must stop "or I am going to the highest authority in this government and get somebody fired."

REPLACED

The White House said the next morning that Alexander would be replaced.

Nixon's choice for chairman is William H. Brown, a Philadelphia Negro who was nominated for membership on the five-member board last year by President Lyndon B. Johnson.

Congress adjourned without acting on Brown's nomination, but Nixon resubmitted it after he took office.

There had been published reports, even before Alexander's encounter with Dirksen, that Nixon would name Brown to the chairmanship.

Alexander said at a news conference announcing his resignation as chairman that Dirksen had threatened to have him fired for "vigorous enforcement" of nondiscrimination in employment.

Labor Letter

A Special News Report on People And Their Jobs in Offices, Fields and Factories

FANCY VACATIONS prove more popular with employes as time-off lengthens.

There's a strong urge to get far away from it all this year. A Pitney-Bowes official finds "many more" workers of Italian, Polish and Irish descent making trips to their homelands this summer. A secretary at Ogden Corp. in New York plans an excursion by raft down the Colorado. In San Antonio, a travel agent notes a sharp increase in secretaries bound for Europe. At Armco's Middletown, Ohio, plant, at least a dozen workers have already made overseas trips this year.

Vacation-stretching is common. A Midwest auto equipment maker, flooded with requests for extended vacations, routinely grants an extra week without pay. To discourage employes from trying to chisel a few extra days off, Dow Chemical allows them to "borrow" days from next year's vacation. Many West Coast employers wink at workers who straggle in late from vacations, but then dock them pay for the excess days.

Holmes & Son Tours in Dallas reports that 80% of the employe tours it books are now three weeks long compared with two weeks long a few years ago.

* * *

BUSY HOSPITALS struggle to hire administrative and clerical help.

"The demand for administrators is the greatest its been in the last 10 years," reports American Medical Personnel, a Chicago employment agency. New York City searches for executives to run four of its 18 public hospitals and for 15 to 20 lower-ranking administrators. Beth Israel Hospital in Boston has twice as many openings for clerical workers as it had two years ago.

Hospitals blame the shortage of administrative help on added paperwork generated by Medicare and state medical insurance programs. To attract workers, many hospitals boost pay sharply. In Boston, administrators' salaries climb to $35,000 a year, up 15% from two years ago. The top pay for medical librarians in New York hits $15,700, compared with $12,700 in 1967. The pay raises for administrative employes help keep medical-care costs spiraling.

Several Pittsburgh-area junior colleges start programs to train hospital accountants and medical librarians and secretaries.

* * *

JOBS FOR VETERANS: Federal officials step up efforts to help ex-GIs.

Pentagon planners report that Project Transition, which offers soon-to-be-discharged GIs job-training and counseling, is "on the upbeat." The program is expected to serve about 500,000 men who will shed their uniforms in the next 12 months, 100,000 more than in the past year. The Defense Department has asked Congress to boost the project's annual budget by over $2 million to $18 million.

With Vietnam troop pullouts starting, Transition officials increase job-counseling activities at five military bases on the West Coast, where many returnees are discharged. Fifty major companies, including Ford, Firestone and Howard Johnson, are now conducting job-training courses under the program.

A new White House committee on the Vietnam veteran will closely examine Transition, with a view toward possible expansion.

EEOC

7-22-69

"GO SLOW" SIGNS flash at the Federal Equal Employment Opportunity Commission. Insiders say the EEOC languishes under its new boss, William Brown. Key jobs remain vacant, morale sags. Brown decides against holding further public hearings to question employers about their hiring practices; he favors "private conferences." Wall St. Jnl 7-22-69

* * *

UNION WAGE GAINS continue their "dizzying climb," the Bureau of National Affairs reports. Its survey of 1,322 contract settlements shows the median wage increase in the first half of 1969 was a record 21.6 cents an hour, up from 16.4 cents a year earlier.

* * *

JOINT ORGANIZING: Three small postal unions—the mail handlers, motor vehicle employes and maintenance employes—agree to aid each other in signing up members. Likely areas of cooperation: Sharing office space during organizing campaigns and pooling funds to hire halls for meetings.

* * *

SWEDEN FACES labor shortages as economic activity booms. Industrialists in Gothenburg, home of such big firms as auto-maker Volvo, estimate they need an additional 5,000 to 6,000 workers. Some Swedish companies increase their capital spending in foreign countries where labor is less scarce.

* * *

WIVES OF UNIONISTS tackle a broad range of political and do-good activities.

No longer content just to ladle out soup to strikers, women's auxiliaries affiliated with unions organize more voter registration drives and letter-writing campaigns for labor causes. A spokesman for COPE, the AFL-CIO's political arm, credits the Oklahoma auxiliary with playing a key role in defeating a right-to-work proposal last year. In Missouri and other states, union gals mobilize backing for Medicare improvements and "loophole-closing" tax revision.

Yet the 200,000 ladies in the growing auxiliary movement still find time to take on new charitable causes. The Head Start program, which offers poor kids pre-school training, is a favorite of many wives. In St. Louis, gals help organize a drive that nets 6,000 summer jobs for disadvantaged youths. A South Dakota group pays off the mortgage on a school for mentally retarded children.

A continuing chore: Auxiliary members distribute about two-thirds of all "buy union" literature prepared by the AFL-CIO.

* * *

THE CHECKOFF: How's that? The city attorney's office in Los Angeles drafts a proposed ordinance that would prohibit nudity on the beach and in parks for everyone except park commission employes "engaged in official duties." . . . The Teamster-Auto Workers Alliance for Labor Action appoints Wiley A. Branton, an experienced poverty-fighter, as director of community and social action.

7-29-69

NEWS Equal Employment Opportunity Commission
1800 G Street, N.W. □ Washington, D. C. 20506
EEOC

FOR IMMEDIATE RELEASE: EEOC Phone: 202/343-5621

William H. Brown III, Chairman of the U. S. Equal Employment Opportunity Commission, today announced the appointment of Clayton Willis as Director of EEOC's Office of Public Affairs.

Mr. Willis comes to the Commission from the Ford Foundation in New York City, where he served as consultant on minority group, journalism, government and law affairs. Immediately prior to that, Mr. Willis covered international and national news as a reporter, editorial writer, and critic for the New York Amsterdam News, the nation's leading black- and Spanish Surnamed American-oriented weekly newspaper.

His previous experience as a member of the New York City press corps included positions as television broadcaster-writer for UPI Newsfilm, United Nations press officer, editorial writer and correspondent for the Hearst Newspapers, and staff writer for Newsweek magazine.

The writer and lecturer was also White House correspondent for Radio Station WAVA in Washington, D. C., and for former World Radio News Network of Houston, Texas. Willis was a general assignment reporter and critic for The Albuquerque Tribune, a Scripps-Howard newspaper. He was on special assignment to the United States Embassies in London, England, and Reyjavik, Iceland. As a free-lance correspondent, he has visited over a hundred countries and has contributed articles to publications around the world.

Born in Washington, D. C., Mr. Willis, 35, received his undergraduate degree from George Washington University and has studied at the Sorbonne in Paris, France, the University of Oslo, Norway, the New York Institute of Finance, the Association of Commodity Exchange Firms, Inc., and the Announcer Training Studios for Radio and Television Broadcasting.

He is a member of the National Press Club, the Overseas Press Club of America, and Sigma Delta Chi, the professional journalism society. Willis lives in New York City and in Greenwich, Connecticut.

EEOC administers Title VII of the Civil Rights Act of 1964 which prohibits employment discrimination based on race, color, religion, sex or national origin.

# # # #

69-22
July 29, 1969

GSA DC 70-1067

NEWS Equal Employment Opportunity Commission
1800 G Street, N.W. □ Washington, D. C. 20506
EEOC

FOR IMMEDIATE RELEASE: Phone: 202/343-5621

"Even Chance", a 20-minute black-and-white film explaining the activities of the U. S. Equal Employment Opportunity Commission, is now available for public release, EEOC Chairman William H. Brown III announced.

The film describes the experience of a single black man in his personal encounter with job discrimination, and the efforts of the EEOC to identify and to eliminate the discriminatory employment practice.

His story typifies the many thousands of cases brought to the Commission each year by not only black people, but Spanish Americans, Mexican Americans, American Indians, Puerto Ricans, Eskimos, Oriental-Americans, members of religious minority groups, and women as well.

Produced in English, the film is aimed at showing the general public how the EEOC, under Title VII of the 1964 Civil Rights Act, handles complaints of job discrimination based on race, color, religion, sex and national origin; and how the EEOC promotes affirmative action programs with business and labor unions to achieve equal employment opportunity.

Individuals or groups interested in booking the film are asked to write the U. S. Equal Employment Opportunity Commission, Office of Public Affairs, 1800 G Street, N. W., Washington, D. C. 20506.

# # # #

69-23
July 31, 1969

Order for previews at earliest convenient

GSA DC 70-1162

NEWS Equal Employment Opportunity Commission
1800 G Street, N.W. □ Washington, D. C. 20506
EEOC

RELEASE FOR AM NEWSPAPERS, TUESDAY, AUGUST 13, 1968

Phone: 343-5621

Chairman Clifford L. Alexander, Jr., of the U. S. Equal Employment Opportunity Commission today announced that 41 state and local agencies will participate in the Commission's grant program which provides funds for specific affirmative action toward eliminating job discrimination.

Alexander said today: "EEOC's contracts with the state and local agencies are earmarked for a concentrated effort to examine the practices of companies with few or no black or Spanish Surnamed Americans in their workforce and to eliminate employment discrimination on a systematic affirmative basis. This requires utilizing to the greatest extent possible the compliance provisions of Federal, state and local statutes. Emphasis will be placed on using the law to change discriminatory practices and institute new procedures which will endure after the EEOC funds are expended."

State and local agencies will work with EEOC and its 12 Regional Offices to identify major low utilizers of minorities through the use of official reporting forms (EEO-1) and relevant data available in their respective areas. The reporting forms are required annually of employers with 100 or more employees under Title VII of the Civil Rights Act of 1964. EEOC administers Title VII which bans employment discrimination based on race, color, religion, sex or national origin.

The 1968 contracts specify that in those states with legal authority to initiate a charge, investigation to identify discrimination and conciliation procedures will follow. If conciliation fails, enforcement proceedings by the state or local agency will follow. In areas without legal enforcement powers, the agencies will conduct compliance reviews and seek institutional changes through technical assistance efforts with emphasis on changing discriminatory recruiting and hiring practices.

In either case, a written finding on whether discrimination exists will be made and if appropriate a draft agreement proposing certain changes will be submitted to the employer by the state or local agency receiving a grant.

The amounts given to each city and state agency vary from $8,500 to $25,000 for a total of $700,000.

Following are the State and local agencies receiving 1968 EEOC grants:

ALASKA

Alaska State Commission for Human Rights

ARIZONA

Arizona Civil Rights Commission

CALIFORNIA

Citizens Interracial Committee of San Diego

COLORADO

Colorado Civil Rights Commission

CONNECTICUT

Connecticut Commission on Human Rights and Opportunities
Hartford Human Relations Commission

FLORIDA

Dade County, Florida

GEORGIA

Community Relations Commission of Atlanta

ILLINOIS

East St. Louis Human Relations Commission

INDIANA

East Chicago Human Relations Commission
Gary Human Relations Commission
Indiana State Civil Rights Commission

IOWA

Iowa Civil Rights Commission

KANSAS

Wichita Office of Human Resources Development
Kansas Commission on Civil Rights

KENTUCKY

Kentucky Commission on Human Rights
Louisville and Jefferson County Human Relations Commission

MARYLAND

Baltimore Community Relations Commission

MASSACHUSETTS

Massachusetts Commission Against Discrimination

MINNESOTA

Minnesota Department of Human Rights

MISSOURI

Missouri Commission on Human Rights
City of St. Louis (Council on Human Relations)

NEBRASKA

Nebraska Equal Employment Opportunity Commission

NEW JERSEY

New Jersey Division on Civil Rights, Department of Law and Public Safety

NEW MEXICO

New Mexico Fair Employment Practice Commission

NEW YORK

New York State Commission for Human Rights
New York City Commission on Human Rights
Yonkers Human Rights Commission

OKLAHOMA

Oklahoma Human Rights Commission
Oklahoma City Community Relations Commission

OHIO

Cleveland Community Relations Board
Dayton Human Relations Council
Youngstown Fair Employment Practice Committee

PENNSYLVANIA

Philadelphia Commission on Human Relations
Pittsburgh Commission on Human Relations

RHODE ISLAND

Rhode Island Commission Against Discrimination
Human Relations Commission of Providence

UTAH

Anti-Discrimination Division of Utah Industrial Commission

WASHINGTON

Washington State Board Against Discrimination

WISCONSIN

Wisconsin Equal Rights Division

DISTRICT OF COLUMBIA

D. C. Commissioner's Council on Human Relations

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68-55

GSA DC 69-1724

August 18, 1969

U. S. Equal Employment Opportunity Commission
Office of Public Affairs
1800 G Street, N. W.
Washington, D. C. 20506

Gentlemen:

Please book me for the following film:

"Even Chance," a 20-minute black-and white film explaining the activities of the U. S. Equal Employment Opportunity Commission.

I would appreciate having this film for preview at your very earliest convenience.

Sincerely,

Emory F. Via
Director
Labor Program

EFV/km

NEWS Equal Employment Opportunity Commission
1800 G Street, N.W. □ Washington, D. C. 20506
EEOC

FOR IMMEDIATE RELEASE: file - EEOC Phone: 202/343-5621

William H. Brown III, Chairman of the U. S. Equal Employment Opportunity Commission, attributing the current racial unrest in this country to the lack of equal opportunities in employment, announced at a news conference today (Friday) a new policy direction for the EEOC which he believes will make it possible for the anti-job discrimination agency to "respond at a greatly accelerated pace to the legitimate demand of millions of Americans."

The new policy affects the two main tools utilized by the Commission in its efforts to eliminate job discrimination: compliance--the process by which discrimination complaints are investigated and conciliated; and affirmative action--programs designed to effect broad-scale change in discriminatory employment practices and to result in increased hiring and promotion of minority group persons.

In regard to compliance procedures, the new policy is geared toward increasing the effectiveness and efficiency of EEOC's compliance activity, and toward reducing substantially the delay, experienced by both charging parties and respondent companies and unions, between the filing of a complaint and attempted conciliation. Due to improved investigation methods in the Commission's 13 field offices, the backlog of cases awaiting decision by the five-member Commission has grown to almost 4,000 cases. Under the new plan, Brown's goal is the production of 100 to 200 decisions per week, compared to the approximately 25 decisions per week currently being turned out.

Mr. Brown's announced action to speed up the compliance process includes:

1. Reassignment of completed investigation reports to field offices for draft decisions, to be forwarded to the Commission for review and final determination.

2. Reassignment of some headquarters personnel and the addition of approximately 40 law students to aid in decision-writing activity.

3. Requirement that a proposed draft decision accompany all final investigative reports.

4. Restructuring of regular Commission processes to insure a quick review of decisions, followed by prompt conciliation action.

In addition, Brown announced that selected legal staff will be working out of field offices to assist charging parties in initiating and carrying through private party suits in cases where conciliation efforts fail, and that the aid of volunteer legal advisors and civil rights groups will be solicited in such cases.

In affirmative action, an area which has suffered due to preoccupation with backlog problems, Brown, proposed to undertake programs to follow-up efforts made by the EEOC in the past, notably the public hearings in New York City in 1968 and in Los Angeles earlier this year. The nation-wide program will focus on securing white collar jobs for minority group persons in selected industries. Priority will be given to the industries involved in the two hearings, but will also involve, Brown said, other companies which will "afford us the greatest opportunities for results." The program will operate through task forces, under the leadership of Commissioners, working with company presidents and labor union officials to design and implement specific affirmative action plans to increase minority group employment.

Brown noted that there will definitely be further hearings, both public and private, hopefully within the next year; preparations for such hearings, he said, require 12 to 14 months work by staff.

Questioned whether the policy changes are in response to recent criticisms from Congress, Brown replied that the Commission is "responding to people in the communities which need our help so desperately." Pointing out that the disruption of building construction by black workers in Pittsburgh is only

a reflection of a problem existing all over the nation, Brown said that "The situation in Pittsburgh is another indication that something must be done and done quickly. Unless people wake up to these problems, we will have very serious confrontations, probably to the point of bloodshed."

Brown emphasized that the EEOC's problems are directly related to its "meager budgets" in each of the past four years and added, "The President has already indicated his support for the entire budgetary requested amount of $15,900,000 to give the Commission greater capacity to deal with employment discrimination." Underscoring that the steps being taken are essential if the EEOC is to be effective, he said "The lack of enforcement powers, inadequate funds or understaffing will no longer be accepted as a reason for permitting blatant violations of Title VII of the Civil Rights Act of 1964 to continue."

The EEOC is an independent federal government agency which administers Title VII of the 1964 Civil Rights Act. The Act prohibits employment discrimination based on race, color, religion, sex or national origin. Cases are brought to the Commission by not only black people, but Spanish Surnamed Americans, American Indians, Eskimos, Oriental-Americans, members of religious minority groups, and women as well.

As of 25 August 1969, the Commission employed 648 individuals. The breakdown is 366 in the 13 regional offices and 282 in the Washington headquarters. This includes part time employees.

Chairman Brown, 41 years old, was Deputy District Attorney of his native Philadelphia, Pennsylvania, and managing partner of a Philadelphia law firm, where he gave free legal service on civil rights cases. He worked his way up from ghetto poverty by working his way through high school, Temple University and the University of Pennsylvania Law School. During his years in school, he drove a taxi at night, waited on restaurant tables and worked part time in the Post Office.

69-39 # # # #
August 29, 1969

U.S. Dept. Labor
News
Week of October 13, 1969

M-EEOC

WILKS CALLS FOR BETTER FEDERAL-STATE
STRATEGY IN ACHIEVING JOB EQUALITY

KIAMESHA LAKE, N.Y. -- Federal-State employment security agencies can improve services to minority groups by playing a key role in a three-pronged strategy to achieve equal employment opportunity.

That is a major point made by John L. Wilks, the new director of the Office of Federal Contract Compliance (OFCC), at the Interstate Conference of Employment Security Agencies here.

The triple strategy cited by Mr. Wilks, a one-time New York longshoreman, includes:

-- Enforcement of Title VII of the 1964 Civil Rights Act on discrimination in employment.

-- Effective administration of the requirement under Executive Order 11246 that Federal contractors take affirmative action to ensure that applicants for employment and employees are recruited, hired and otherwise treated without regard to race, creed, color, sex, or national origin.

-- Assuring that the employment service agencies take affirmative action in providing placement, job training, special counseling and related employment services to disadvantaged members of minority groups and take affirmative action in staffing their own program.

"In my view," Mr. Wilks emphasized, "the Federal-State Employment Security Program can improve its service to the minority communtiy and improve its image among minority groups by providing full cooperation, support and assistance in a three-pronged strategy to achieve equality of opportunity in employment."

(MORE)

He said three Federal agencies -- OFCC, the Equal Employment Opportunity Commission, and the Justice Department -- are jointly developing a two-pronged strategy to deal with ending discrimination and implementing affirmative action programs to insure job equality.

This strategy includes the development of nationwide compliance standards and priorities, more effective enforcement capabilities and better coordination of on-going operations.

"To round out this strategy," he said, "I see the urgent need for establishing a vital link between the two key programs and the U.S. Training and Employment Service (USTES) and the affiliated local offices of the State employment services."

Under this linkage, Mr. Wilks said, the USTES and the 2,000 affiliated local offices of the State employment services would play key roles in insuring equal employment opportunity by serving as depositories of vital minority manpower information for the communities they service. They would collect and maintain employer and community profiles to help guarantee equal opportunity.

As Federal compliance officials conduct compliance visits to employers in the communities serviced by the public employment agencies, this information would be available to them.

The information, Mr. Wilks said, would greatly expedite the rate by which the employers achieve compliance with their obligations to provide equal employment opportunity without regard to race, religion, color, sex, and national origin.

# # #

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, D.C. 20506

November 13, 1969

Mr. Emory F. Via
Director
Labor Program
Southern Regional Council, Inc.
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

Dear Mr. Via:

Your request for our film "Even Chance" has been received. I will work your request into our booking schedule, unless you have a specific date in mind. If this is the case, please advise me of your first and second choice of dates, and we will try to accommodate you.

The U. S. Equal Employment Opportunity Commission was established under Title VII of the 1964 Civil Rights Act which bans employment discrimination based on race, color, religion, sex or national origin.

Thank you for your request and if we may be of further assistance please call on us.

Sincerely,

Margarita Renteria

(Mrs.) Margarita Renteria
Office of Public Affairs

U S Govt.

March 31, 1970

Office of Special Assistants to the Board
Federal Reserve System
20th Street and Constitution Avenue, N. W.
Washington, D. C. 20551

Dear Sirs:

Would you please send me a copy of the speech made by Board Member, Andrew Brimmer, at Tuskegee Institute on March 22nd.

I thank you.

Sincerely,

Emory F. Via, Director
Resources Development Center

EFV/km

unions on jobs.

EEOC

Job Equality Pact Signed By Shipbuilder

The Newport News (Va.) Shipbuilding & Drydock Co. and the Equal Employment Opportunity Commission have reached agreement on a desegregation plan. The firm is the country's largest shipbuilder, with 19,000 employes — about 5,000 of them Negroes—and extensive government ship construction contracts.

The agreement will provide new promotion and training programs for Negroes, a review of the skills of all Negro employes to assure them of fair treatment, and outside evaluation of all jobs and pay rates to determine if Negroes are undergoing discrimination.

It was worked out over six days of intensive negotiations during which the Labor and Navy Departments, which had determined the company was not in compliance with the Executive Order dealing with federal contracts, joined EEOC conciliators.

The company sought the conciliation discussions after the commission had found it was violating the employment discrimination provisions of the Civil Rights Act, as 41 Negro employes had claimed in filing formal charges.

Newport News workers are represented by an unaffiliated local union. The local did not participate in working out terms of the agreement between the company and government agencies.

The company agreed to post a non-discrimination policy statement throughout the shipyard and to attach a copy to each paycheck within 30 days; to read the policy statement to all supervisors, to advise employes in group meetings that violators will be disciplined, and to report to the EEOC the moves it has made to comply with the agreement 90 days after the signing and each quarter for the following two years.

boys and girls live. They have

(EV)

Edelsberg Is Appointed Director of Job Bias Unit

Emp – EEOC

Herman Edelsberg, director of the Washington office of the B'nai B'rith Anti-Defamation League and a veteran of the fight for civil rights, has been named executive director of the Equal Employment Opportunity Commission, Chairman Franklin D. Roosevelt, Jr., announced.

At the same time Roosevelt made public the appointment of Ben Segal as director of liaison with state and local bodies. Segal formerly was education and international affairs director of the Electrical, Radio & Machine Workers and is a member of the District of Columbia Advisory Committee to the U.S. Commission on Civil Rights.

Edelsberg succeeds N. Thompson Powers, who has been acting director on loan from the Labor Dept. since the EEOC was set up in July. Powers is leaving to head a labor-management project in Brazil sponsored by the Labor Dept. and the Agency for Intl. Development.

Edelsberg worked closely with the congressional majority which won enactment of the Civil Rights Acts of 1957 and 1960. From 1956 to 1960, he was chairman of the Civil Liberties Clearing House, composed of some threescore national labor, church, civic and Negro groups interested in civil rights.

Between 1941 and 1945 Edelsberg, a lawyer, held posts with the Foreign Economic Administration, the Board of Economic Warfare and the Office of Price Administration. From 1937 until he entered government service he was general counsel for the Gas, Coke & Chemical division of the Mine Workers.

BEOC
EV

MINORITY EMPLOYMENT DATA AVAILABLE FROM
THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

The Equal Employment Opportunity Commission has minority employment data available in the Office of Research for the years 1966, 1967 and 1968. These data have been compiled from three reporting forms: Employer Information Report (EEO-1), Apprenticeship Information Report (EEO-2) and Local Union Equal Employment Opportunity Report (EEO-3).

Filing of the EEO-1 Report is required of all employers covered by Title VII of the 1964 Civil Rights Act with 100 or more employees and government contractors, subject to Executive Order 11246, with 50 or more employees. The data may be subdivided according to the following attributes: race or ethnic group; sex; occupation; industry, company, establishment; national, state, SMSA, county, or certain cities; and, government compliance agency (for federal contractors). The actual source documents have been stored on microfilm for each year. The processed data have been recorded on magnetic tape for 1966 and 1967 to date and are subject to manipulation by any of the attributes described above. Computer printouts of aggregate data by area and industries for all occupations are also available. Most

of the 1966 EEO-1 data will be released in a report entitled Job Patterns For Minorities and Women in Private Industry.

EEO-2 Apprenticeship Information Report -- is required to be filed by joint labor-management apprenticeship committees which have all of the following characteristics: (1) five or more apprentices in the entire program; (2) at least one employer sponsor with 50 or more employees (changed to 25 or more employees in 1968); and (3) at least one union sponsor who operates a hiring hall or has 50 or more members (changed to 25 or more members in 1968).

Printouts of the 1967 EEO-2 data will be available by December 1968. The tabulations will show apprenticeship information by State, SMSA, trade or craft, racial or ethnic groups, and year of apprenticeship.

Local Union Equal Employment Opportunity Report EEO-3 is required to be filed by all local unions, covered by Title VII which have 100 or more members. Data for 1967 on union membership and job referrals by ethnic groups will be available in early 1969. These materials will include

only those unions which have hiring halls or other referral arrangements with employers.

For further information on the availability of EEOC data contact Dr. Phyllis A. Wallace, Office of Research, Equal Employment Opportunity Commission, 1800 G Street, N.W., Washington, D. C. 20506.

One Man Reservoir — to

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To evaluate & develop ideas of what to do

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"Committee on Equal Employment Opportunity"

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No philosophy there now —
— maybe what's expedient —
Nothing so unique, however, in great agency

failure to appraise

Rest of staff
want too good quality

prescribed workload & heavy

McKee Commission

{ Intergovernmental Relations Specialists — 3 State
McKee

EV

Toward a New Federal Equal Employment Opportunity Program*

By John Feild

Twenty-five years ago the Federal Government embarked upon its first systematic effort to eliminate racial discrimination in private employment. President Roosevelt's historic Executive Order Number 8802, applicable to holders of government war contracts, issued June 21, 1941, was to be followed by a sequence of similar orders issued by each president that has succeeded him. In the intervening years, the legislatures of 31 states and over 100 cities were to crystalize governmental policy within their jurisdictions in an increasingly determined effort to achieve equality of opportunity in employment for all citizens regardless of race, creed, or national origin. Congress, in July of 1964, broadened the Federal interest in equal employment opportunity from just those employers holding government contracts

* Prepared for the third Notre Dame Conference on Civil Rights, Notre Dame Law School, February 17-20, 1966.

to all employers in interstate commerce with 25 or more employees (a similar numerical limit was set on unions and sex WAS added to the non-discrimination coverage).

Regretably, the present status of this combined Federal, State and Local effort cannot be said to have been reached by any steady or rational accumulation of experience. Perhaps this would have been too much to expect since the conditions under which multiple government regulators have tried to apply their rules have not remained static--nor were they predictable.

President Roosevelt, for example, had the advantages of war-time labor shortages and appeals to patriotic national unity with which to launch a new national effort to reverse what had been, after all, an increasingly segregationist trend for 60 years. He also had the advantage of a relatively young, dynamic and expanding industrial union movement dedicated to organization on a plant-wide and an industry-wide basis which was inclusive not exclusive.

Thus, the massive movement of Negroes from the rural South, which began in the Roosevelt years, was to bring poorly educated, unemployed Negroes into blue collar industrial jobs on an unprecedented scale reducing Negro unemployment to record lows. Two and a half decades later, under President Kennedy, we were to find many of these same Negroes once again in the high unemployment categories of an economy that had shifted toward a white collar, automation-inspired technology.

President Truman, on the other hand, did not have available to him the patriotic impetus with which his predecessor had obtained the acquiesence of the Southern-Republican coalition in the Congress. The 1948 Russell Amendment was to establish a Congressional restraint on the funds and staffing of the Federal effort that was to continue through the Eisenhower Administration into the operations of the new 1961 President's Committee on Equal Employment Opportunity headed by then Vice President Lyndon Johnson. Nor was the economy at the end of the Forties continuing to absorb the

steady influx of rural migrants with quite the same ease: unemployment jumped from a little over a million in 1945 to almost four million by 1949.

With the exception of the Korean War industrial spurt, the economy during the Eisenhower Fifties, to further complicate things, had fallen into a state of stagnation. The Federal formula for action to enlarge job opportunities for minorities during these years was essentially non-regulatory. Whereas President Truman's response to his impasse with Congress was to mount a national opinion building campaign favorable to further Federal action--the President's Committee on Civil Rights Report, "To Secure These Rights," his determined campaign for re-election, and his advocacy of Federal FEPC legislation were typical--President Eisenhower characteristically deferred to state and local action. The Nixon Committee on Government Contracts remained essentially complaint oriented although it made some determined, if not noticeably successful, efforts to encourage voluntary compliance.

The Kennedy Administration began in 1961 with just about as many people unemployed--five and a half million--as were unemployed when President Roosevelt issued his famous Executive Order 20 years earlier. The difference was that our population had increased by 30 million and the labor force by about 15 million. This had cut the unemployment rate from 9.9 to 6.8. Negro unemployment, however, was roughly double the white rate as 1961 began--as it had been since 1954. There were approximately 800,000 Negroes unemployed. The economy was, however, about to begin an unprecedent period of sustained growth (it is now in its sixty-first month) which would result in the first significant reversal in the decline of blue collar jobs that had begun in 1947. The overall impact of the Kennedy economic and fiscal policies (largely continued by the Johnson Administration) on Negro unemployment has been to reduce total unemployment to the "interim goal" of 4% (3.3 million) and to reduce the Negro unemployment rate to 7% (500,000)--the first time it has dropped below the "double" rate since the Korean War.

The Kennedy posture on Federal civil rights employment policy was committed from the outset to enforcement of non-discrimination regulations covering government contractors. It was committed to initiating compliance action as well as acting upon complaints. Unfortunately, it had inherited an essentially restrictive Congressional attitude toward appropriation of the funds for staff which were necessary for any meaningful enforcement program. The officers of the President's Committee on Equal Employment Opportunity chose not to challenge this so-called Russell Amendment policy by asking for a direct apprpriation as had been done by both Roosevelt and Truman. During the entire time that the then Vice-President Johnson served as Chairman of the Committee its official budget remained exactly at the level established under Vice President Nixon. In spite of this apparent financial obstacle, however, the Kennedy Administration did gradually evolve a means for the development of a greatly expanded enforcement capability within the contracting

agencies and did undertake both to place contractors on a "black list" forbidding them to receive further contracts until they met compliance standards and to withhold contracts until bidders brought themselves into compliance with the "affirmative action" provisions of the Executive Order.

By the time President Johnson assumed office, there were nearly three times as many full time contract compliance officers working within the regular agency structure of the Federal government as were assigned in the peak World War II years. The number of complaints being processed had increased seven fold from the Eisenhower period and the corrective action rate on complaints had increased from 20 per cent to 70 per cent. Pattern centered compliance reviews were initiated by appropriate contracting agencies on an industry, area or corporate basis, resulting in far reaching changes in both employer and union practices. Finally, the first comprehensive, compliance reporting system covering 20 million workers (including the construction industry, public utilities and the insurance industry, none of which had

been effectively covered in any previous Federal effort) was in operation and was providing the first meaningful basis for evaluating the impact of the Federal government's regulatory effort.

While the Kennedy Administration was responsible for the re-establishment of an affirmative Federal effort to expand job opportunities for minorities through the use of its considerable Defense, Space, Atomic Energy and general government expenditures, it did not ask the Congress to pass a Fair Employment Practices Bill. Nor did the Johnson Administration which succeeded it. It remained for the House Judiciary Committee, upon the prompting of the Leadership Conference on Civil Rights, to formulate what was to become Title VII of the Civil Rights Act of 1964.

There are few better examples of mankind's obstinate refusal to learn by his experience than the approach taken to the critical social problem of employment discrimination by Title VII of the Civil Rights Act of 1964. Not only was the excellent analysis of the

1963 Notre Dame Conference on Civil Rights brushed aside, but it embodied all of the worst features of the New York State FEPC model which was so thoroughly and expertly evaluated a year later at the University of Buffalo School of Law at a National Conference on The Role of State and Local Government sponsored by the Halpern Fund. It is hard to believe that this Title as written was merely the product of legislative compromise. Better initial drafts had already been approved by the House Committee on Education and Labor (Roosevelt Bill, H.R. 405) and by the Senate Committee on Labor and Public Welfare (The Humphrey Bill, S.1937). In my judgment, Title VII stands as testimony to an unmistakeable, if unfortunate, failure of leadership on the part of the Executive to present any evaluation of its twenty years of administrative experience in attempting to deal with the national problem of employment discrimination. The pathetic fact is that the hearings of neither of the above mentioned Committees nor of The House Judiciary Committee contain any

constructive legislative recommendations of either the Kennedy or the Johnson Administrations concerning employment discrimination. One would get the impression that neither they nor their predecessors had ever tried any ways of meeting what has been since the days of Lincoln an obvious national problem.

Given Title VII as an Act of Congress, the Johnson Administration set about early in 1965 under the auspices of the President's Council on Equal Opportunity to find an effective way to coordinate what had become many diverse employment, civil rights and manpower activities of the Federal establishment. These studies culminated in Executive Order 11246, which abolished the President's Committee on Equal Employment Opportunity and transferred its contract compliance functions to the Department of Labor and its government employment surveillance functions back to the Civil Service Commission (from whence they had been taken by the Eisenhower Executive Order of 1953). The Equal Employment Opportunity Commission was left a free hand to function under the original mandate given to it

by Congress.

The Equal Employment Opportunity Commission itself, however, has developed some rather specific notions about its mandate and has developed a series of legislative recommendations--none of which has received the approval of the Administration as of this writing. (See Appendix I)

Meanwhile, the Congress continues to pursue an active interest in employment discrimination and equal opportunity. Shortly after the passage of the 1964 Civil Rights Act, the Congress approved the Economic Opportunity Act of 1964. Earlier it had approved (in 1961, amended in 1963 and 1964) the Manpower Development and Training Act which gave specific recognition to the special "structural unemployment" problems being experienced by 1) youth, 2) non-whites, 3) older workers, and 4) workers being displaced by technological change. Congress had also quadruppled funds for vocational education in a drastic attempt to make this important piece of the vocational development system of the nation more modern and more in keeping with the present days skills needs of industry and commerce.

In addition, Congress has passed other related measures that greatly strengthen the capacity of local communities to provide disadvantaged persons with greater opportunities for employability. The Social Security Act has been amended to provide funds for welfare recipients to obtain training and job placement. The Elementary and Secondary Education Act provides 1.3 billion dollars focussed primarily on slum schools and remedial programs. The Economic Development and Public Works Act provides new tools for depressed areas. Liberalized loan provisions for small business and new concepts of technical assistance have directed, for the first time, specific effort at the enlargement of Negro participation in business.

The center of these efforts is the new locally based community action coordinating agency which currently receives 90% of its funds from the Federal government under the Economic Opportunity Act. There are currently nearly 400 funded communities and there will be 900 by the end of Fiscal '67. Each of the

agencies is developing a comprehensive manpower program that has enormous potential for the qualitative improvement of the most disadvantaged portion of the minority labor force. The Fiscal '67 budget calls for an appropriation of $900 million.

The combined impact of these programs on greatly accelerated equal employment opportunity effort may be seen in some of the statistics:

Projected?

1966 - 67	Enrollees
Work study allowances for college students	210,000
Education Opportunity Grants for college students	220,000
Neighborhood Youth Corps	165,000
Job Corps	45,000
Work Experience (welfare recipient trainees)	105,000
Adult Basic Education (literacy)	75,000
MDTA	250,000

Of great importance for equal employment opportunity efforts is the new degree of organization and focus which the new Manpower Administration in the Department of Labor is

giving to improved manpower utilization practices. Going beyond the training efforts already described, the first major overhall of the Federal-state employment service system since it was established in 1935 is about to be undertaken. The Report of the Employment Service Task Force has set a new direction for this vital link that will bring new flexibility and new capability for testing, counselling, job placement and job development services. Innovations such as the youth opportunity centers and the high school services and placement programs will be expanded. There will be 200 centers in operation by the end of the year. It is expected that some 50,000 high school dropouts and 600,000 high school seniors will be directly serviced through these programs this year. Overall out-reach will be greatly expanded especially involving minority groups and other disadvantaged workers.

With regard specifically to current anti-discrimination programs at the State and local level, there has been a steady improvement in the capability of the fair employment agencies:

they have been strengthening their powers and improving their procedures, they have been enlarging their jurisdications and, equally important, they have been enlarging their budgets and their staffs. At the city-county agency level, for example, the combined appropriations of the 70 professionally staffed agencies increased by 40% last year and now totals nearly four million dollars. State agency appropriations are comparable. Another illustration of this trend is noticeable in the fact that most state FEPC's now have the authority to initiate complaints giving a greater emphasis to industry-wide and area enforcement drives.

In light of this trend, the time is clearly at hand for a national effort to consolidate and strengthen further the local and state apparatus, as well as the Federal machinery. The impact of Federal financial support for state and local FEPC's (under good high standards), which can be linked to Federal aid or a revitalized national employment service system, for the broad range of manpower development

and training programs and for the establishment of local community action coordinating agencies could bring a decisive advance.

Congress is currently considering three alternative measures:

1) H. R. 10065 (the Hawkins Bill) which has been approved by the House Education and Labor Committee and is now on the House Calendar. This measure has the support of the EEOC but has not been endorsed by the Administration. It would amend Title VII of the 1964 Civil Rights Act as follows:

   a) extend coverage to employers and unions of eight employees or members.

   b) provides new investigative powers.

   c) authorizes the EEOC to issue cease and desist orders.

   d) directs the EEOC to enter into agreements with state and local agencies to carry out the purposes of the Act where they have the power.

e) prescribes that the Commission undertake a survey of apprenticeship programs.

2) S. 2134 (the Javits Bill) which would amend Title VII of the 1964 Civil Rights Act as follows:

a) extend coverage to employees and unions of eight.

b) extend coverage to employees of state and local government.

c) authorize the EEOC to issue cease and desist orders.

d) authorize the EEOC to use investigative procedures and powers of the Federal Trade Commission.

e) provide for a study of apprenticeship.

3) S. 2923 (the Douglas Bill) which amends Title VII of the Civil Rights Act to include coverage of state and local government employees (it assumes the other amendments contained in the Hawkins Bill).

The essential limitation of all of these measures is their continued reliance on an enforced process that is carried out by an independent Commission with limited capacity to monitor the huge employment structure that exists in this country. It is estimated, for example, that there are some 300,000 establishments that would be covered. Some affirmative review process must be devised which would go beyond the almost miniscule complaint based impact. The EEOC has reported that it received 2706 complaints between July 2 and December 2, 1965, and has processed 296 in that period finding cause in 127 complaints involving 41 respondents. By way of contrast, in the same period, the Department of Labor's Wage and Hour Division visited and reviewed 30,000 establishments and undertook a scientific sample inspection survey of an additional 7,000 establishments to check the general level of compliance. The Air Force contract compliance program, to take another illustration, reviews about 400 establishments every six months.

Secondly, while the Hawkins Bill does attempt to strengthen Federal-State and local

cooperation and while the EEOC has requested $900,000 next year for dispersal to state and local agencies, there is no clear statement of the functions expected of state and local agencies beyond the same type of powers they now have or procedures they are now following. From my point of view this is not enough.

Lastly, none of these measures makes any attempt to link the enforcement effort to the manpower development program and the other available employment facilities that are currently expanding at both the Federal and local level. If the concept of "affirmative action" is to be given any extensive application some connection must be established among these programs. If the U.S.E.S. carries out its operations through 2300 local offices, for example, this constitutes a resource that can be made administratively responsive to the equal employment opportunity effort if effective mandates and bureaucratic relationships can be established. If the

Bureau of Labor Standards can devise special programs for women and the handicapped, it should be possible for them to assist in anti-discrimination efforts.

Alternative Federal Policy Directions

A. Enlarge the Federal commitment to and pressure for equal employment opportunity primarily by means of a regulatory-enforcement thrust. This could be done by strengthening the present EEOC: extending its coverage to employers and unions of eight workers or members, giving it power to initiate complaints and to issue cease and desist orders and authorizing investigative powers similar to those of the Federal Trade Commission. This would establish EEOC as an essentially regulatory agency with semi-judicial administrative powers. It assumes a sizeable expansion in the bureaucratic out-reach of the Commission to achieve the needed coverage. It also assumes a coordinated working arrangement with the Labor Department's Contract Compliance Program.

B. Strengthen the Federal Regulatory-enforcement posture as outlined above and at the same time implement this by strengthening State and Local regulatory capability: This could be done by strengthening the EEOC as in A above and adding standard

setting provisions for state and local agencies to assist in carrying out EEOC policies. Provision should be made for financial support to state and local agencies and for delegation of primary jurisdiction when Federal standards are met. This could produce an expanded regulatory-enforcement impact with limited Federal bureaucratic involvement.

C. Greatly expand the operational concept of a Federal EEO policy that would tie training and manpower development programs to comprehensive anti-discrimination efforts: The approach embodied in the 1964 Humphrey Bill, S.1937, could be revised along the lines indicated below. This would give the Manpower Administrator in the Department of Labor the power to regulate employers, unions and personnel agencies with respect to equal opportunity. He would have authority to issue cease and desist orders after findings are reviewed by a Hearing Examiner and upon recommendation by him to the Manpower Administrator. At the same time it would convert

the Commission to the status of an independent Review Board to protect respondents rights against arbitrary action by the Administrator.

A reworked S.1937 should:

(1) Provide for an Assistant Manpower Administrator for Equal Employment Opportunity to direct the Contract Compliance Program and to direct all other compliance aspects of the law:

(2) Spell out the non-discrimination requirements which would be evaluated by the Bureau of Labor Standards as part of its continuing inspection processes;

(3) Spell out procedures for the mandatory listing of job vacancies with the U.S.E.S. by all employers engaged in interstate commerce with more than 100 employees (or at least all government contractors); and

(4) Establish a special "Equal Opportunity Manpower Development Fund" ($25 million) available to the Manpower Administrator to initiate special training, motivation and preparation projects that would specifically support equal opportunity.

(5) Provision could also be made for utilizing State and local EEO agencies which meet Federal standards and for making grants to them to conduct investigations and carry out the manpower development and utilization programs of the Department of Labor as established by the Congress in this type of law. ($25 million) The existing Contract Compliance Program would be made a unit within this overall plan.

(6) Provision should be made for the establishment of a permanent Conference of State and Local EEO agencies for purposes of maintaining a coordinated and advisory relationship between the Manpower Administration and these grant receiving agencies. Funds for the Conference should be provided on the basis of a 50% Federal share.

(7) Individual complaints filed with the Manpower Administrator would be referred either to appropriate State or Local agencies for action or would be processed by the Assistant Administrator for Equal Employment Opportunity. Should either a complainant or any employer, labor union or employment

agency believe they have not had satisfactory action by the Manpower Administrator they could appeal his orders to the independent five member Commission for such review, amendment or further action as they may direct.

D. Maintain the EEOC as an independent regulatory agency but link it to the various manpower development and service functions of other Federal, State and local agencies by giving it certain referral, receiving and funding powers, while at the same time requiring or encouraging other Federal, State and local agencies to undertake new responsibilities in their own right: This could be accomplished by:

(1) requiring the Department of Labor through its Bureau of Labor Standards, its Bureau of Apprenticeship and Training and its Bureau of Employment Security to certify to the EEOC any instance where an employer, employment agency or union, after due notice, fails to meet appropriate nondiscrimination standards established by the Department of Labor.

(2) requiring all employers in interstate commerce with 100 or more employers (or at least all government contractors) to list job vacancies with the U.S.E.S. (or state affiliate).

(3) authorizing EEOC to give certificates of preference to the Department of Labor, the Office of Education, and OEO for training projects connected with EEO efforts developed by employers or unions in cooperation with State or local EEOC's, CAP's or other manpower or educational agencies.

(4) authorize EEOC to allocate funds from a special $25 million "Equal Opportunity Manpower Development Fund" for training motivation and preparation projects designed at EEOC's request and approved by the Department of Labor, the Office of Education (HEW) or the OEO in connection with EEO efforts.

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(5) authorize the EEOC to make 90%-10% grants from a $25 million "EEO Affirmative Action Fund" to state and local EEO agencies which meet certain standards and undertake programs consistent with the Federal EEO interest.

Lists of Cert K ~~of~~ companies
with Employment services

and its locals were not motivated by any consideration of race, color, or creed, but objected solely to working with people who aren't in AFL-CIO.

The Department also charges that four of the locals have refused to recruit and accept Negroes on the same basis as whites, and have failed to accord their Negro members the same advantages as their white members.

In one count, the Department asks for preliminary and permanent injunctions barring unlawful discrimination by the Council and four locals against any member or prospective member. In a second count, the court is asked to enjoin any action by the Council and five locals to frustrate the non-discrimination clause in Hoel-Steffen Corp.'s federal contract for construction of the facilities.

Successful Conciliation

A charge of job discrimination against Kaiser Aluminum Company has been successfully conciliated, according to EEOC Chairman Franklin D. Roosevelt, Jr. The complaint was one involving the operation of the seniority system at the company's plant in Baton Rouge, La.

The settlement was worked out with representatives of the company, the Aluminum Workers International, and the local union.

Details of the agreement are:

▶ Plantwide seniority will apply in promotions from utility man into operating departments, and for layoffs and recalls. This will allow senior Negro employees who have been unable to advance in the past to move into the higher paying jobs in the operating departments.

▶ Within a department, departmental seniority will apply.

▶ The principle of promotion from within is established. The company will look for qualified employees in the laborer classification before hiring from outside, and will reevaluate job entrance requirements.

State Legislation

Kentucky is the first Southern state to enact an FEP law "to provide for execution within the State of the Policies embodied in the Federal Civil Rights Act of 1964." Although modeled on the federal law, Kentucky's statute omits sex as a forbidden basis for discrimination. The law becomes effective July 1, 1966.

Features of the new law are:

▶ Coverage of employers of eight or more employees.

▶ Creation of a Commission on Human Rights with power to issue cease and desist orders.

▶ Provision for judicial review of Commission orders.

▶ Grant of authority to the Commission to cooperate with and receive funds from EEOC.

▶ Authorization for cities and counties to adopt FEP ordinances and regulations and to establish local FEP commissions.

(Full text of the statute appears at p. 451:451.)

Pennsylvania adopts legislation to extend coverage of its FEP law to employees of six or more persons, instead of the present 12, effective March 25. In addition, the Pennsylvania Human Relations Commission will be empowered to seek enforcement of an order in the court of common pleas of the county in which the hearing was held, as well as in the Court of Common Pleas of Dauphin County.

A & P Case

The first employment discrimination lawsuit filed under Title VII may never go to trial. EEOC Chairman

Franklin D. Roosevelt, Jr., reports that agreements being worked out with the Atlantic & Pacific Tea Co. may result in settlement of the suit filed against the company in a North Carolina federal district court.

The action was filed against A & P on behalf of Annie Brinkley, who charged she was denied a job because of her race. A & P and the attorney for Mrs. Brinkley have agreed to a 90-day postponement to iron out details of an agreement.

Roosevelt indicated that the agreement will include these points:

► Making it easier for all persons to secure employment applications.

► Establishment of a permanent means of two-way communications between the Negro community in North Carolina and the company.

Under this arrangement, minority group members would tell the company of complaints of discrimination and try to adjust them before going to EEOC.

Sex Discrimination

Ten former female employees of P. Lorillard Tobacco Company file suit in a federal district court—at the suggestion of EEOC—claiming that the firm violated the sex provisions of the Civil Rights Act. It is believed to be the first suit of its kind ever filed in Kentucky. It is filed on behalf of the 10 laid-off employees and "all other female employees of P. Lorillard Company."

The former employees, laid off last November, allege that the company hired male employees when female employees with seniority were still on layoff; laid off female employees without good and sufficient reason when they were ready, willing, and able to hold jobs held by male employees with less seniority; and refused to allow women to take or be placed on any job formerly held by male employees.

Originally, the charges were made in a letter written to EEOC by one of the laid-off women. Acting for herself and the others, she asked EEOC to investigate.

In early January, EEOC advised the women by letter that it found "reasonable grounds" to believe the company had violated the Act, and further stated that the Commission was unsuccessful in getting the company to comply with the law. EEOC also advised them that if they were unable to persuade the company to change its policy, they could file suit in federal court.

Meanwhile, a recommended finding that the Miller Brewing Co. unlawfully discriminated against women employees by paying them less than men and restricting them to the first shift is made by a Wisconsin Industrial Commission trial examiner. His decision is subject to review by the Commision and is the first complaint of sex discrimination brought to trial in the state.

The trial examiner also found that Local 9 of the United Brewery Workers illegally discriminated by restricting women employees to the first shift. But he recommends dismissal of a charge that the union participated in the wage discrimination "in view of the union's valid attempt to accomplish equal wages for both male and female employees."

Graham on Sex Discrimination

Referring to the sex discrimination provision of Title VII, EEOC Commissioner Richard A. Graham says it isn't "a fluke" as many employers believe, and that the Commission is serious about enforcing it.

Speaking at the American Management Association's annual personnel

NEWS Equal Employment Opportunity Commission
1800 G Street, N.W. □ Washington, D. C. 20506
EEOC

FOR IMMEDIATE RELEASE Phone: 202/343-5621

The U. S. Equal Employment Opportunity Commission today announced publication of its pamphlet on discrimination because of sex. "Towards Job Equality For Women" is available upon request from the EEOC, 1800 G Street, N.W., Washington, D.C. 20506.

The report is a summary of the employment rights of women, and the important provisions of the Civil Rights Act of 1964 that relate to discrimination based on sex by employers, unions and employment agencies.

After the pamphlet went to press, the Commission voted to amend its Guidelines on Discrimination because of Sex dealing with State protective legislation. As amended, the Guidelines provide that state legislation which restricts the occupations women may hold, the hours they may work, and the weights they may lift, do not justify limiting work opportunities for women. The amendement was enacted to reflect Decisions of the Commission under its prior Guideline.

The EEOC is an independent Federal Agency employing about 589 persons. It administers Title VII of the Civil Rights Act of 1964 which prohibits employment discrimination based on race, color, religion, sex or national origin.

69-45

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FOR IMMEDIATE RELEASE Phone: 343-5621

EEOC REVEALS STATISTICS ON MINORITY MEMBERSHIP IN UNIONS

Preliminary results of a nationwide survey of minority membership in local unions with hiring halls or other referral arrangements were released today by Chairman William H. Brown III, of the U. S. Equal Employment Opportunity Commission.

"This is a unique survey", Brown declared. "It presents, for the first time, hard statistics on minority membership in labor unions. The unions in question are the so-called *'Referral Unions' which, in one way or another serve as a gateway to employment in the trades and crafts within their jurisdictions. The extent to which minority group people have gained membership in such unions is a practical measure of the degree of equal employment opportunity within those jurisdictions."

Commenting on the survey results, Brown said: "We find generally the membership statistics for those international unions with the highest pay levels show the lowest levels of minority group participation. That is certainly true of the building trades. However, it is also true of unions in other industries as well. In fact, as our employer surveys have shown, the one pervasive pattern in all of American industry is the inverse relationship between pay and skill levels and minority group employment."

The survey, based on 1967 reports received from some 3,700 local unions with over two million members in referral bargaining units, revealed an aggregate black membership of just under ten percent of the total. Spanish Surnamed Americans accounted for

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*A Referral Union is a local union which itself, or through an agent, (a) operates a hiring hall or hiring office, or (b) has an arrangement under which one or more employers are required to hire or consider for employment persons referred by the union or any agent of the union, or (c) has 10 percent or more of its members employed by employers which customarily and regularly look to the union, or any agent of the union, for employees to be hired on a casual or temporary basis, for a specified period of time or for the duration of a specified job.

an additional six percent. Also, one percent were Orientals, and one-half of one percent were American Indians.

Unions in the construction industry with close to 1.3 million members had about five-eights of total reported referral-union membership. There were 106,000 Negroes in those unions, or 8.4 percent of the total, and 56,000 Spanish-Surnamed Americans with 4.5 percent of all members. Both rates were lower than the nationwide levels for all referral unions.

Black membership in the building trades ranged from 30.5 percent in the case of Laborers to 0.2 percent for Plumbers and Sheetmetal Workers, respectively. The Laborers, with 81,000 had 3 out of 4 of all black members in the building trades. Other unions with relatively high black membership were the Bricklayers (9.6 percent), Plasterers (14.0 percent), and Roofers (13.5 percent). In addition to the Plumbers and Sheetmetal Workers, unions with very low Negro membership included the Electrical Workers (0.6 percent), Elevator Constructors (0.4 percent), and Asbestos Workers (0.9 percent). These 5 unions together reported only 1,421 Negroes out of close to 330,000 members.

Spanish Surnamed American members in the building trades ranged from 16.0 percent for Marble Polishers to 1.2 percent for Asbestos Workers. Other unions with substantial Spanish Surnamed American membership were Laborers (9.8 percent), Plasterers (12.6 percent, and Painters (6.7 percent). Unions, other than the Asbestos Workers, with relatively low Spanish Surnamed American membership included Electrical Workers (1.8 percent), Elevator Constructors (1.3 percent), Operating Engineers (1.4 percent), and Plumbers (1.4 percent).

Chairman Brown noted that membership figures in other than construction industries similarly show wide differences in the numbers and percentages of minority representation. The highest figures were found in two low-earnings service industry trades, Building Service Employees (28.4 percent), and Hotel and Restaurant employees (12.9 percent). Together with the Teamsters (9.6 percent), these unions accounted for half the black membership in the non-construction industries. Some of the unions with small black representation were Lithographers and Photengravers (1.3 percent), Stage and Motion Picture Operators (2.9 percent), Barbers (0.9 percent), and Patternmakers (0.1 percent). A similar pattern is indicated for Spanish Surnamed Americans among the unions other than the building trades.

In further comment on the sharp differences shown by the survey between different types of unions, Chairman Brown commented: "I do not wish to take any credit away from the Laborers Union. Their members get good pay, even if it is less than the pay of the skilled crafts. However, some of the unions representing those crafts which are most highly paid have reported only a handful of minority members throughout the nation. This is an unfortunate fact, clearly revealed for the first time by the Commission's statistics. I hope this information will serve to reinforce the efforts of all persons within the union movement who have been striving to better the performance of unions in order to make equal employment opportunity a reality."

Brown concluded that "it is most likely that these minority membership figures of two years ago are generally representative of the situation existing today. Even the most optimistic expectations for the Apprenticeship Outreach programs and other attempts to enroll minorities in apprenticeship programs only affect a small proportion of referral union membership. And it has been commonly accepted that the majority of craft union journeymen are not products of the apprenticeship system. Therefore, I was heartened to read that the Executive Council of the AFL-CIO's Building and Construction Trades Department has made the 'flat and unqualified recommendation to local unions throughout the United States' that they invite applications from and accept into membership all qualified minority jouneymen and that local unions and local councils 'vigorously pursue' training programs to upgrade minority workers who are beyond apprenticeable age. I would further recommend to local unions and councils that they invite applications for membership and training in a clear and unequivocal manner which will not be misunderstood, and that they develop aggressive programs to carry their message to minority communities everywhere. I should hope that a survey conducted a year from today would tell a better story than the one we have described."

The 1967 survey was the first annual report to the Commission by local unions on a report form, entitled Local Union Equal Employment Opportunity Report EEO-3. Statistics from the 1968 survey are expected by the end of this year.

The EEOC is an independent Federal Agency employing about 589 persons. It administers Title VII of the Civil Rights Act of 1964 which prohibits employment discrimination based on race, color, religion, sex or national origin.

69-44

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GSA DC 70-3562

MINORITY GROUP MEMBERSHIP IN REFERRAL LOCAL UNIONS, AS REPORTED IN 1967

International Union/ Trade	Membership in Referral Units				
	Total	Negro	% Negro	SSA*	%SSA*
ALL UNIONS	2028052	198358	9.7	127797	6.3
ALL BUILDING TRADES UNIONS	1257929	106263	8.4	56062	4.5
Asbestos Workers	6104	61	0.9	75	1.2
Boilermakers	23946	934	3.9	917	3.8
Bricklayers	34069	3300	9.6	733	2.1
Carpenters	315538	5284	1.6	8692	2.7
Electrical Workers	133904	915	0.6	2490	1.8
Elevator Constructors	6728	33	0.4	89	1.3
Operating Engineers	103677	4200	4.0	1456	1.4
Iron Workers	70273	1197	1.7	2406	3.4
Laborers	266243	81457	30.5	26350	9.8
Lathers	4660	177	3.7	147	3.1
Marble, Slate & Stone Polishers	4355	387	8.8	699	16.0
Painters	66714	2498	3.7	4502	6.7
Plasterers	28182	3947	14.0	3568	12.6
Plumbers	147862	320	0.2	2038	1.4
Roofers	10807	1461	13.5	357	3.3
Sheet Metal Workers	34867	92	0.2	1543	4.4

*Spanish Surnamed American

Source: Equal Employment Opportunity Commission, Local Union Report EEO-3

International Union/ Trade	Membership in Referral Units				
	Total	Negro	% Negro	SSA*	%SSA*
ALL UNIONS NOT IN BUILDING TRADES	770123	92095	12.0	71735	9.3
Bakery & Conf. Workers	14881	1699	11.2	2030	13.6
Bookbinders	20289	1350	6.6	1693	8.3
Building Serv. Empl.	29089	8290	28.4	2306	7.9
Distillery Workers	13098	1646	12.5	368	2.8
Hotel & Restaurant Employees	139616	18093	12.9	18362	13.1
Lithographers & Photo-engravers	20153	281	1.3	264	1.3
Masters, Mates, & Pilots	6765	21	0.3	177	2.6
Meat Cutters	42892	3644	8.4	4013	9.3
Musicians	12487	805	6.4	184	1.4
Office Employees	7393	1061	14.3	582	7.8
Patternmakers	7751	5	0.1	55	0.7
Printing Pressmen	21710	962	4.4	1383	6.3
Retail Clerks	17497	1127	6.4	641	3.6
Seafarers	9274	141	1.5	580	6.2
Shoe Workers	6580	480	7.2	2247	34.1
Stage & Motion Picture Operators	22756	672	2.9	1202	5.3
Teamsters	213632	20573	9.6	11984	5.6
Other Non-Building Trade Unions	164,260	31,245	19.0	23664	14.4

*Spanish Surnamed American

Source: Equal Employment Opportunity Commission, Local Union Report EEO-3

NEWS Equal Employment Opportunity Commission
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FOR IMMEDIATE RELEASE: Phone: 202/343-5621

EEOC

STATE AND LOCAL AGENCIES PARTICIPATING IN
EEOC GRANT PROGRAM

In accord with his Commission's objective of promoting specific affirmative action to eliminate job discrimination, Chairman William H. Brown III of the U. S. Equal Employment Opportunity Commission announced that the EEOC will once again provide grants to anti-discrimination agencies on the state and local level.

The EEOC this year has entered into contractual agreements with 40 such agencies for a total of $700,000. These contracts will help underwrite a program by the agencies to explore ways in which job discrimination may be eliminated on a systematic, affirmative basis. The goal of the program is to wipe out "institutionalized discrimination," rather than simply to place minorities within the system on an ad hoc basis. "Institutionalized discrimination" is the term for employment practices which exclude or have the effect of excluding minority group individuals because of their minority group status.

"The idea," Brown said, "is to bring about meaningful and lasting change, by making sure that the employment systems that screened out blacks and Spanish Surnamed Americans and other minority groups in the first place will not continue to operate against them."

Many fair employment practices commissions on the state and local level have been hampered by lack of funds. These EEOC grants allow them to use more effectively their resources and enabling legislation. Emphasis is placed on the full use of available legal means and the creation of new, more efficient operating procedures which will endure after the EEOC grant is expended.

A cooperative data-sharing arrangement through the EEOC and its 13 regional offices will enable the agencies to identify companies who have few or no minority group employees possibly because of discrimination. Identification is made possible through use of the EEOC's employer reports, covering nearly 30 million workers and containing statistics on entire workforces by occupation, sex, race and ethnic group.

Under the EEOC-funded project, agencies with enforcement powers will conduct an Affirmative Enforcement Program involving the initiation of commission charges, investigation of possible discrimination, attempts to remove discrimination by conciliation, and subsequent enforcement where conciliation fails. In jurisdictions without legal enforcement powers, the agencies will conduct voluntary compliance reviews followed up by technical assistance to correct illegal recruiting and hiring methods.

In either case, agencies will produce a written finding on whether discrimination exists and, where appropriate, an agreement with the employer implementing specific changes.

Brown said that some 900 employer establishments with a total of well over a million employees had been contacted under last year's program. "The present cooperative effort has been so successful," the EEOC Chairman added, "that a number of agencies are in the process of incorporating the techniques of the existing program into the regular operations of their agencies."

"As the effectiveness of state and local fair employment practices agencies is enhanced," Brown continued, "there will be gains for all concerned. Reducing the duplication of federal and state effort will stretch total resources to combat discrimination. It will provide faster service to aggrieved individuals; reduce the burden to respondent companies of repeated investigations; and enable the EEOC to focus on broad national strategies and programs for attacking discrimination in employment."

The Equal Employment Opportunity Commission was established under the Civil Rights Act of 1964. Title VII of the Act prohibits discrimination based on race, color, religion, sex

and national origin, in hiring, upgrading, and all other conditions of employment.

The following are the state and local agencies receiving 1969 EEOC grants:

STATE AGENCIES WITH 1969 CONTRACTS

STATE	AGENCY	AMOUNT
Arizona	Arizona Civil Rights Commission	$25,000.00
Alaska	State Commission for Human Rights	22,476.00
Colorado (Aff. Action)	Civil Rights Commission	16,184.00
(Deferral Program)		15,616.00
Connecticut	Comm. on Human Rights & Opportunities	13,770.00
District of Columbia	D.C. Commission on Human Relations	17,419.00
Illinois	Fair Employment Practices Commission	16,000.00
Indiana	Civil Rights Commission	15,565.00
Iowa	Civil Rights Commission	16,345.00
Kansas	Commission on Civil Rights	9,983.00
Kentucky	Commission on Human Rights	13,358.00
Louisiana	~~La. Commission~~ June 11th Project Council on Human Relations	19,500.00
Maryland	Commission on Human Relations	9,292.00
Massachusetts	Commission Against Discrimination	17,826.00
Michigan	Civil Rights Commission	20,000.00
Minnesota	Department of Human Rights	12,640.00

STATE	AGENCY	AMOUNT
Missouri	Commission on Human Rights	19,500.00
Nebraska	Equal Employment Oppor. Comm.	8,000.00
New Jersey	Division on Civil Rights	6,000.00
New Mexico	Commission on Human Rights	20,300.00
New York	Division of Human Rights	32,100.00
Northern California	Assoc. of Human Relations Directors (six agencies)	62,425.00
North Carolina	Good Neighbor Council	18,777.00
Ohio	Civil Rights Commission	18,000.00
Oklahoma	Human Rights Commission	7,200.00
Pennsylvania	Human Relations Commission	18,000.00
Rhode Island	Commission for Human Rights	6,900.00
Washington	State Board Against Discrimination	18,500.00
		496,676

CITY AND COUNTY AGENCIES WITH 1969 CONTRACTS

Jurisdiction	Agency	Amount
Atlanta, Ga.	Community Relations Commission	$11,385.00
Baltimore, Md.	Community Relations Commission	11,220.00
Detroit, Mich.	Commission on Community Relations	14,800.00
East Chicago, Ind.	Human Relations Commission	10,864.00
Fort Wayne, Ind.	Mayor's Commission on Human Relations	15,000.00
Jacksonville, Fla.	Community Relations Commission	15,598.00

CITY AND COUNTY AGENCIES WITH 1969 CONTRACTS

Jurisdiction	Agency	Amount
Kansas City, Mo.	Department on Human Relations	$15,000.00
New York, N.Y.	Commission on Human Rights	11,910.00
Oklahoma City, Ok.	Community Relations Commission	14,140.00
Philadelphia, Pa.	Commission on Human Relations	11,122.00
Sacramento, Cal.	Human Relations Comm. of City and County of Sacramento	15,000.00
Tampa, Fla.	Commission of Community Relations	16,000.00
Youngstown, Oh.	Fair Emp. Practices Committee	16,324.00
		178,363

#69-47

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69-51

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CHAIRMAN BROWN CALLS FOR NEW
BUSINESS-GOVERNMENT PARTNERSHIP;
PRESIDENT NIXON HAILS INNOVATIVE PROGRAM

Asserting that past industry action programs in equal employment opportunity "have clearly been inadequate, "William H. Brown III, Chairman of the U. S. Equal Employment Opportunity Commission, challenges the representatives of over 40 major trade associations to "hire a full-time expert to work on affirmative action programs with your member companies for (the decade of) the '70's."

The EEOC is sponsoring a workshop for national trade association executives November 20-22, at the facilities of The Johnson Foundation in Racine, Wisconsin.

In a speech to the workshop, Mr. Brown declared that the associations must come forth with "new initiatives, new ideas, new creativity" to give equal employment opportunity "the priority that it deserves when viewed in terms of the future destiny of our society and in terms of the human lives wasted and lost because of discrimination."

Some of the EEOC Chairman's other suggestions to improve the companies' employment of minority groups were to: review selection and testing procedures to make sure they reflect actual job requirements; recruit through the minority press and on minority college campuses; employ recruiters who are themselves minority group members; and exchange ideas and information through trade association meetings and publications.

Mr. Brown was optimistic about the passage of legislation currently moving through Congress which would give the EEOC power to compel compliance with Title VII of the 1964 Civil Rights Act,

which prohibits discrimination based on race, color, religion, sex and national origin. He commented, however, "I hope we can keep our enforcement powers in reserve and not have to make extensive use of them...I would much rather that the firms which you represent talk to us over a blueprint for action than over an investigator's case file."

"Better yet," he added, "I would like to see fewer and fewer cases come before the Commission as a result of positive action by American business and industry to define and eliminate discriminatory practices within its own house." Brown noted that since 1964, the EEOC has received well over 40,000 charges and has found discrimination in 60 percent of those cases.

"Do not leave it up to the government to solve your problems for you," Brown warned. "Wake up to the fact that it is in your own self-interest to eliminate job discrimination. The idea that business and society cannot operate exclusively of one another is not a new concept, but it is more often heard in speeches and discussed philosophically in conferences, and too seldom made a part of business' mode of operation."

The workshop, the first of its kind, is a cooperative effort between the EEOC, The Johnson Foundation, and the Cambridge Center for Social Studies of Cambridge, Massachusetts.

President Richard Nixon saluted the purpose of the workshop. In a letter to Chairman Brown, The President said, "As the first large scale gathering of business and government representatives for the purpose of exploring the problem of job discrimination in America, this meeting does indeed promote cooperation--not confrontation." The Chief Executive declared that, "By taking a lead in promoting' equal employment opportunity and making it a matter of course and not an issue for courts, you can deal affirmatively and constructively with the problems we face. And you can brighten the futures of countless fellow Americans--while teaching others that discrimination is not only a violation of the law, but a violation of the spirit and tenets on which this nation was founded."

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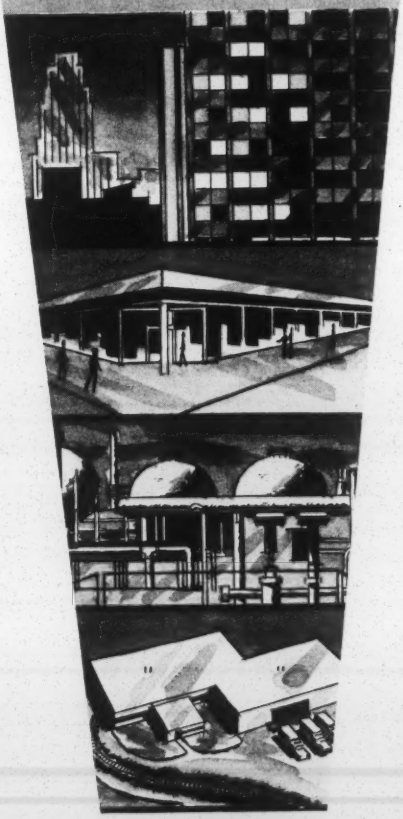
69-51

LIST OF PARTICIPANTS

Aerospace Industries Association of America, Inc.
American Association of Advertising Agencies
American Bakers Association
American Gas Association
American Meat Institute
American Road Builders' Association
Association of American Railroads
Edison Electric Institute
Institute of Temporary Services, Inc.
International Sanitary Supply Association
National Association of Broadcasters
National Association of Manufacturers
The National Federation of Business and Professional Women's Clubs, Inc.
National Machine Tool Builders' Association
National Roofing Contractors' Association
American Petroleum Institute
American Medical Association
American Insurance Association
American Foundrymen's Society
National Tire Dealers and Retreaders Associations, Inc.
American Trucking Association
Urban Coalition of Minneapolis
Manufacturing Chemists Association
National Asphalt Pavement Association
American Life Convention
Associated Equipment Distributers
National Canners Association
U. S. Chamber of Commerce
U. S. Junior Chamber of Commerce

EEOC —
materials (?)

Equal Employment Opportunity is Good Business



EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

HOW TO FILE A COMPLAINT AGAINST UNLAWFUL JOB DISCRIMINATION

DISCRIMINATION IS UNLAWFUL

Discrimination in employment because of *race, color, religion, sex,* or *national origin,* is prohibited under Title VII of the Civil Rights Law. The Equal Employment Opportunity Commission will act on charges of discrimination in employment committed by employers, labor organizations, state and private employment agencies and labor-management apprenticeship programs.

CHARGES MAY BE FILED BY:

Any person who believes he has been discriminated against in an employment situation.

A Commissioner who has reason to believe that an unlawful employment practice has been committed by a company, labor union, employment agency, or an apprenticeship or training program.

The company, union, or employment agency is forbidden by law to punish you for filing a charge, for acting as a witness, or for assisting the Commission to establish the cause for the charge.

EEOC

EEOC

CHARGE OF DISCRIMINATION

(If you have a complaint, fill in this form and mail it to the Equal Employment Opportunity Commission's Regional Office in your area as soon as possible. It must be mailed within 90 days after the discriminatory act took place. (See addresses on back page)

This form is to be used only to file a charge of discrimination based on RACE, COLOR, RELIGION, SEX, or NATIONAL ORIGIN.

Case File No. _____

(PLEASE PRINT OR TYPE)

1 Your Name _____ Phone Number _____

Street Address _____

City _____ State _____ Zip Code _____

2 WAS THE DISCRIMINATION BECAUSE OF: (Please check one)

Race or Color ☐ Religious Creed ☐ National Origin ☐ Sex ☐

3 Who discriminated against you? Give the name and address of the employer, labor organization, employment agency and/or apprenticeship committee. If more than one, list all.

Name _____

Street Address _____

City _____ State _____ Zip Code _____

AND (other parties if any) _____

4 Have you filed this charge with a state or local government agency? Yes ☐ No ☐

5 If your charge is against a company or a union, how many employees or members? _____ Number Do not know ☐

6 The most recent date on which this discrimination took place: Month _____ Day _____ Year _____

7 Explain what unfair thing was done to you:

8 I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

Date _____ _____
(Sign your name)

Subscribed and sworn to before me this _____ day of _____ 196_____

_____ _____
(Name) (Title)

If it is difficult for you to get a Notary Public to sign this, sign your own name and mail to the Regional Office. The Commission will help you to get the form sworn to.

★ U.S. GOVERNMENT PRINTING OFFICE : 1966 O—223-512

YOU HAVE A RIGHT TO COMPLAIN IF:

Employer refuses to hire you when you are qualified for a job opening.

Employer refuses to let you file application but accepts others'.

Union or employment agency refuses to refer you to job opening.

Union refuses to accept you into membership.

You are fired or laid off without cause.

You are passed over for promotion for which you are qualified.

You are paid less than others for comparable work.

You are placed in segregated seniority line.

You are left out of training or apprenticeship programs.

AND . . .

The reason for any of these acts is your race, color, religion, sex, or national origin.

Also, if employer provides racially segregated lunchrooms, locker rooms, rest rooms, recreation facilities.

WE CANNOT HANDLE CERTAIN CHARGES:

The Commission can handle charges concerning discriminatory employment practices based only on race, color, religion, sex, or national origin. We cannot handle charges of discrimination, for example, concerning employment of physically and mentally handicapped, or concerning age, housing or schools. Where appropriate, we refer such charges to other federal or state agencies. We cannot handle charges of employment discrimination by federal, state or local governments, except that we can handle charges involving state employment service offices.

AFTER A CHARGE IS FILED:

- The Commission will review your charge and contact you by mail or in person.
- The Commission investigates your charge and if it finds it is justified, the Commission tries by conciliation to end the discrimination.
- If the Commission fails you may take your complaint to court.
- In most states with Fair Employment Practices laws, Title VII requires the Commission to refer your charge to the state agency which has 60 days to try to settle your complaint. You will be notified if this is done, and of your right to come back to the Commission if you are not satisfied with the state action.

NOTE:

The law covers employers of 75 or more people; labor unions with 75 or more members; and employment agencies. On July 2, 1967, the law will cover employers and unions with 50 or more employees or members.

YOU CAN HELP END DISCRIMINATION

The Commission will determine what action can be taken based on your statements as presented in the charge form in this pamphlet.

Freedom from discrimination is not enough. There must be freedom from the disadvantage that 200 years of discrimination helped create. There must be freedom of opportunity, freedom to work.—President Lyndon B. Johnson, April 28, 1966

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
REGIONAL OFFICES

Area Director, E.E.O.C.
300 North Los Angeles Street
Los Angeles, California 90012

Regional Director, E.E.O.C.
630 Sansome Street
San Francisco, California 94111

Regional Director, E.E.O.C.
1776 Peachtree Street, N.W.
Atlanta, Georgia 30309

Regional Director, E.E.O.C.
219 South Dearborn Street, Room 2402
Chicago, Illinois 60604

Area Director, E.E.O.C.
911 Walnut Street
Kansas City, Missouri 64106

Area Director, E.E.O.C.
423 Canal Street
New Orleans, Louisiana 70130

Area Director, E.E.O.C.
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Albuquerque, New Mexico 87101

Regional Director, E.E.O.C.
346 Broadway, 7th Floor
New York, New York 10013

Regional Director, E.E.O.C.
Engineers Building, Room 402
1365 Ontario Street
Cleveland, Ohio 44114

Regional Director
Equal Employment Opportunity Commission
Austin, Texas

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
1800 G STREET, N.W.
WASHINGTON, D. C. 20506

CP

File — Stokes

June 1, 1971

Mr. Whitworth Stokes
Attorney
1225 Nineteenth Street, N. W.
Washington, D. C. 20036

Dear Whit:

I will be in Atlanta on June 10, and look forward to talking with you about the subjects you have raised. Several other persons on the staff will also be available.

Sincerely,

Paul Anthony
Executive Director

PA:jb

JUN 1 1971

BOASBERG, GRANAT & KASS
ATTORNEYS AT LAW
1225 NINETEENTH STREET, N.W.
WASHINGTON, D. C. 20036

TERSH BOASBERG
RICHARD S. GRANAT
BENNY L. KASS
WHITWORTH STOKES
JAMES L. FELDESMAN

TELEPHONE
(202) 659-3436

May 28, 1971

Mr. Paul Anthony
Southern Regional Council
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

Dear Paul,

I will be in Atlanta, Thursday, June 10 and would like an opportunity to visit with you if possible. I have several projects cooking at the moment that I'd like to seek your aid in and I'll outline them briefly in this letter. If you're not going to be available that day I'd appreciate your lining me up with any other appropriate staff people on these items.

Housing - I represent a non-profit corporation in Memphis which is church affiliated that wants to get into the low and moderate income housing area. Because of local politics they do not want to do business with the local integrated law firm, that has already done a lot of this type of development. They have come to me and I have very limited expertise in this area. Any help you or someone down there can be toward steering us in the right direction would be appreciated.

Prison Reform - I represent a guy at Brushy Mountain prison in Petros, Tennessee who is serving 99 years for murder of a policeman. He and several other guys have organized a prison radio show and a weekly newspaper. They have done this with the tacit consent of the Warden and with absolutely no money at all. I am trying to raise some money through the Knoxville and Oak Ridge ACLU and Unitarian Church people and they are having a jazz show at the prison on Memorial Day. Brushy Mountain is the longterm, maximum security prison in the Tennessee system. No one there has less than a fifteen year sentence and it always comes last in priority. There have been virtually no Law Enforcement Assistance Administration (LEAA) grants to long term prisons and I don't think that is a feasible source of funding at this time. I think these men will have to raise money privately and show that they can do a number of ongoing projects before they can pursuade the State and Federal governments to do anything significant for them.

Newsletter - One of the things that distresses me now that I'm in Washington and see things from this perspective is how many significant news events are reported here that go either unreported or distorted for political reasons in local papers. Additionally there are many "inside" stories that are unreported both places. I wonder about how much accurate news the typical NAACP executive secretary in Drew, Mississippi gets about the programs that are vital to her and her constituency. I'd like to see a newsletter of Washington-government-New York-Wall Street type news go out to a group of professional civil-rights type workers. It would be very simple in format -- two to four pages -- typed and printed every two weeks. I envision it as being similar to the Prentice-Hall tax letters and similar services. Of course, those publications are profitable because their readers are organized and willing to pay. The type of newsletter I propose would go to an unorganized and impecunious group and would, therefore, have to be heavily subsidized.

Study of Effectiveness of Civil Rights Laws - There are a number of Civil Rights Laws, Title VII of the 1964 Act, in particular which require the agency to attempt to resolve the complaint by "informal means of conference, conciliation, and pursuasion" and upon failing to do so the Attorney General "may" go to Court or the individual can file a civil action himself. This same language and a similar procedure is in the Age Discrimination Act and the Housing Discrimination Act. I know from first hand knowledge that EEOC estimates that only 5% of those who file complaints with the agency ever file lawsuits and I fear that the percentage under the other two statutes is even worse. I made a pass at EEOC and the Labor Department about them studying this situation, i.e., how many cases are filed, how many go to Court, and why do people not go to Court, how do those who do go get lawyers, is it profitable for the lawyers, etc. I was told by Labor that they had only brought 5 to 10 such cases under the Age Discrimination law and they really had no interest in studying the matter...there being nothing to study! I was further told privately that Labor had no interest in the law (by the former administrator of the section charged with its enforcement).

I then turned to EEOC and found them very receptive to the idea as long as I talked to lawyers in program areas, but found a complete bottleneck with the Director of Administration who would not go for such a matter (EEOC finance a study which is bound to make it look bad? Heaven forbid!). So it looks as if private sources are the only ones for such a deal. Actually it would be a fairly simple study to pull off. I can bypass the Office of Administration and go straight to the Regional Offices where my contacts are pretty good and get the records from them. It's more a clerical job to compile information and then interpret the results than anything else.

I hope I can get to see you when I'm in Atlanta and go over these things and anything else of mutual interest.

Sincerely,

Whitworth Stokes

WS:kal

BOASBERG, GRANAT & KASS
ATTORNEYS AT LAW
1225 NINETEENTH STREET, N.W.
WASHINGTON, D. C. 20036

JUN 18 1971

TERSH BOASBERG
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JAMES L. FELDESMAN

TELEPHONE
(202) 659-3436

June 15, 1971

Mr. Emory Via
Southern Regional Council
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

Dear Emory:

I am enclosing a written proposal on the study we discussed last week. Also, I am enclosing the resumes of Sarah Chasis (third year law student) and Karen Lubieniecki (Georgetown graduate) who may be available for participation in this matter.

Inasmuch as the student help is only available for the summer I need as rapid an answer as possible on this.

Sincerely,

Whitworth Stokes

Enclosures
WS:kal

TO: Mr. Emory Via, Southern Regional Council, Atlanta, Georgia

FROM: Whitworth Stokes, Boasberg, Granat & Kass, Washington, D.C.

RE: Proposal to study the effectiveness of the Equal Employment Opportunity Commission (EEOC)

The Equal Employment Opportunity Commission was created by Congress under the Civil Rights Act of 1964 (Title VII) and became effective July 1, 1965. The Commission has no enforcement powers and can only attempt to resolve employment discrimination complaints by "informal means of conference, conciliation, and pursuasion". If the Commission is unable to resolve the matter to the satisfaction of all parties the individual Charging Party may file a private action in the United States District Court. Although EEOC has never reached signed conciliation agreements on more than 35% of their cases in any fiscal year, the present Deputy General Counsel estimates no more than 5% of those Charging Parties who file charges ever go to Court. Despite attempts by the writer while an employee of the Commission and as a practicing attorney to convince the Commission that this problem should be studied, they have not yet authorized such a study. In a conversation with a former employee of the Commission's Office of Compliance, it was stated that the Commission does not "even keep records which would provide a basis for such a study." This true or not?

So it is incumbent upon a private organization to examine what happens to those thousands of individuals who file charges, never file lawsuits, and apparently do not have their cases disposed of satisfactorily in the process.

What LOT done in this area? Valder, etc

All Commission records are confidential and this factor inhibits a study by any outside group. However, the Commission does make available overall statistics and the confidentiality requirement as to names and places ceases to exist when a lawsuit is filed. By combining two sources of information, i.e. EEOC Annual Reports and Court records, a conclusion can be drawn by inference in two areas. (1) How many persons who seek the assistance of the EEOC eventually get to Court? and (2) By what means and methods do such persons obtain the services of a lawyer?

Because of the writer's familiarity with the Atlanta Office, the Director of the Atlanta Office's connections with SRC, the long history and volume of complaints filed with the Atlanta Office, and the geographical area of concern to the Southern Regional Council, it is proposed that the study be restricted to cases handled by EEOC's Atlanta Regional Office. This Office covered the following states prior to EEOC's reorganization in the Spring of 1971: Georgia, Florida, South Carolina, and North Carolina. Additionally the states of Alabama and Middle and East Tennessee were covered by the Birmingham Area Office. The states of Mississippi, Arkansas and West Tennessee were covered by the Memphis Area Office. These two Area Offices were"spinoffs" from the Atlanta Region.

Under the present Regional setup the Atlanta Office has responsibility for the following states: Georgia, Florida, South Carolina, North Carolina, Alabama, Mississippi, Tennessee, and Kentucky, with District offices in Atlanta, Charlotte, Miami, Birmingham, Jackson, and Memphis.

As can be seen these two regional arrangements cover those states generally comprising the Deep South. The only two states not covered in both plans are Arkansas and Kentucky and both could be eliminated from consideration without drastically impairing the scope of the study. The exclusion of Louisiana is more serious, but since it always has been in a separate Region (New Orleans, and now Dallas) its inclusion would add measurably to the time and expense involved in this proposal.

The time period to be evaluated should be carefully chosen to provide a time frame which will yield a statistically significant number of cases while providing for a sufficient passage of time to measure the impact of those lawsuits having been filed. This would probably mean not considering the first two fiscal years that the Commission was operative (July 1, 1965 to July 1, 1967) and the fiscal year to be completed on July 1, 1971.

The proposed timetable and financial estimates for the Study are as follows:

I PHASE ONE: Meet with EEOC Regional Director Hollowell to gain approval for study and access to records. Determination of the years to be studied to be determined at this meeting. Obtain list of EEOC cases that have resulted in litigation with the following information:

A. Plaintiff's names (Charging Parties)

B. Defendant's names (Respondents)

C. Plaintiffs Attorney's name and address

D. Court in which case filed

E. Date of filing

TIME AND COST:	Professional	One day	$100
	Clerical	Two days	64
	Travel Expense		275

II PHASE TWO: Compile information obtained in Phase One to determine whatever statistical patterns are present. For example, geographical (State or Court), Attorneys, Dates (chronological), etc.

TIME AND COST:	Professional	Four hours	$ 50
	Clerical	One day	32
	Travel	None	

III PHASE THREE: Interview Five key people suggested by the information obtained in Phase one and compiled in Phase Two. For example, a Commission representative, attorney, plaintiff, Judge, or other.

TIME AND COST:	Professional	Five days	$500
	Clerical	None	
	Travel Expense		300

IV PHASE FOUR: Writing of Report and Submission to SRC.

TIME AND COST:	Professional	Two days	$200
	Clerical	Two days	64
	Travel	None	

TOTAL COST OF PROPOSED STUDY:

Travel Cost	$575.00
Professional	850.00
Clerical	160.00
Reserve for Xerox, telephone, and other miscellaneous	150.00
	$1,735.00

The above estimates are based on a Professional rate of $100.00 per day, a clerical rate of $4.00 per hour, and expenses at actual cost. Final billing would be subject to adjustment within these rates. However, actual billing would not be less than $1,200 nor more than $2,000.

COPY

June 30, 1971

Mr. Whitworth Stokes
BOASBERG, GRANAT & KASS
Attorneys at Law
1225 Nineteenth Street
Washington, D.C. 20035

Dear Whit:

Thanks for sending the written proposal to me. Although I feel that it would be quite useful to have some such study made, it is impossible to do more about the proposal at this time. I am sorry to have to give you this kind of answer when you had worked out so many of the elements that would enter into the study.

I think it quite possible that you have underestimated the time it would take to do what you have outlined. Although I cannot see our being able to undertake the study on a contract basis, I do hope that we will be able to discuss it further at some later date.

Our very best regards in your endeavors.

Sincerely,

Emory F. Via, Director
Resources Development Center

EFV/gms

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ATTORNEYS AT LAW
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(202) 659-3436

JUL 6 1971

July 2, 1971

Mr. Emory Via
Southern Regional Council
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

Dear Emory

What's the word on my letter of June 15, 1971? Don't call collect if the answer is "no".

Sincerely,

Whitworth Stokes

WS:kal

What happens to cases -

how going to

lawyers, how, who,

General Counsel

Commission Complaint

Justice Dept

1. He does not write like a writer.
i.e. "determination ... to be determined."
IS he proposing to do the job himself?

2. Since records on subject aren't kept, how does he propose to get?

3. What has the Legal Defense Fund done in the area he's talking about?

4. Does he envision Hollowell providing access to confidential documents that will indict his office?

5. The price seems high - but for 1st class goods not outrageous. Question: Can he produce? And, is this a priority publishing area for us - since Atlanta, again, is the focus.

A NEW WEAPON IN THE FIGHT FOR BETTER CIVIL RIGHTS ENFORCEMENT

As we noted in the section on the Voting Rights Act, there is a new force on Capitol Hill that can be used to strengthen civil rights enforcement. The House Judiciary Committee has authorized Subcommittee No. 4, under Rep. Don Edwards (D., Calif.) to oversee what kind of enforcement job the government is doing.

The Leadership Conference has long urged the House Judiciary Committee to set up such a subcommittee and we are glad to see it finally become a reality.

Here are the other members of the subcommittee:

Democrats - John Conyers (Mich.), Andrew Jacobs (Ind.), Jerome R. Waldie (Calif.), Edwin Edwards (La.), Paul Sarbanes (Md.).

Republicans - Charles Wiggins (Calif.), Charles W. Sandman, Jr. (N. J.), William J. Keating (Ohio), Robert McClorey (Ill.).

* * * * * *

We urge all organizations to act immediately. At a time when the national unemployment rate is 6.2 per cent, this bill would provide immediate jobs for 150,000 of the unemployed in such crucial areas of public service as health, education, safety, recreation, pollution control.

Please act today: Write President Nixon urging him to sign the bill once Congress passes it. If that fails, then we will have to write to all members of Congress - Republicans mainly - urging them to vote to override a veto.

A VICTORY FOR VOTING RIGHTS ENFORCEMENT

Attorney General John Mitchell has given up on an attempt to weaken enforcement of the Voting Rights Act.

It was his intention to alter administration of the law so that the states and political subdivisions whose discriminatory laws had brought them under the coverage of the statute, could still put new voting laws into operation if the Justice Department was not entirely convinced their effect would be discriminatory. The Attorney General was prepared to give states and subdivisions the benefit of the doubt in uncertain cases even though the law and the court interpretations of it clearly place the burden of proof on the states and localities. They must prove their laws will not discriminate. It is not up to the Attorney General to assume that burden, if he has any questions or hesitations about the effect of a law. In short, Mr. Mitchell was attempting to do administratively, what Congress had refused to let him do last year, when it extended the law another five years.

Our Protests Helped

Fortunately, Mr. Mitchell's intention was learned before the guidelines could be put into effect. A bipartisan group of members of Congress protested. Leadership Conference organizations were alerted to the prospective change and sent in many protests. The Attorney General was severely criticized in a court decision. The House Committee Judiciary Subcommittee, (Rep. Don Edwards, D., Calif., Chairman) which now has responsibility to investigate civil rights enforcement, called Justice officials in for questioning. All these things together, we are convinced, finally forced Justice to back down from any formal weakening of the law.

WATSON COURT NOMINATION WITHDRAWN

While we are toting up victories, we are glad to report that the Administration appears to have decided not to nominate former Congressman Albert Watson of South Carolina to the U. S. Military Court of Appeals. As soon as the first reports of such a possibility became known to us, Roy Wilkins, Chairman of the Conference, sent a telegram to President Nixon urging him not to make the nomination in view of Watson's hostile record on civil rights. Mr. Wilkins warned, "another bruising struggle on a judicial appointment could only further divide this country at a time when unity is badly needed."

Mr. Watson received national attention last year, when he addressed a rally in Lamar, South Carolina, only ten days before people there overturned a bus carrying black students to a newly desegregated school. In his speech, Mr. Watson urged a mob to "stand up and use every means at your disposal...."

MANPOWER INFORMATIONS SERVICE
The Bureau of National Affairs, Inc.
Volume 2, No. 16 April 2, 1971

Current National Developments

Widespread

BUSINESS ALLIANCE WIDENS GOALS; SEEKS TO AID RETURNING VETERANS

With the recent change in command among its officers, the National Alliance of Businessmen (NAB) is reviewing programs and policies dealing with hiring and training the disadvantaged in private industry. Changes being contemplated could mean significant shifts for the three year-old organization which promotes both voluntary and federally-funded contract training of the disadvantaged on the part of business.

One major change under discussion is the involvement of the NAB in programs to find employment for returning servicemen. With NAB Metro offices in 156 cities, the plan is to put the widespread organization at the disposal of other groups seeking the employment of veterans returning to their communities. Particularly, NAB officials are pursuing a tie-in with the Department of Labor-funded Jobs For Veterans programs.

Even deeper involvement in veterans employment policy is being contemplated at the NAB. But to bring returning servicemen directly into the organization's hire-and-train programs presumably would require a change in the definition of disadvantaged which qualifies the unemployed or underemployed for NAB-sponsored jobs. Such a change is presently under consideration.

Leadership Plans

NAB directions under the new leadership were disclosed by the recently appointed president of the organization, William C. Woodward, a vice president of the Aluminum Company of America. In an interview with the editors of MIS, Woodward reviewed a number of proposals under consideration that may be put into effect during the course of the next year.

Broadly speaking, however, the Pittsburgh-based executive does not contemplate any fundamental changes in the over-all business involvement in hiring the disadvantaged. "The business community is still committed . . . the businessman sees this as an opportunity to make a contribution other than throwing money over the fence into the ghetto." Still, Woodward feels that "some clarification" is needed on the role of the government and its efforts to foster voluntary participation by industry in such hiring programs.

Even so, Woodward is optimistic about the future prospects of the NAB and defends its hiring and training performance over the past three years. "I'm skeptical of numbers being used to show how well we're doing," he says, "but there is one set of figures I feel we can rely on. This is the report on the number of people actually hired."

Woodward cited the following hiring figures which, he said, "belies everything about how the downturn in the economy has affected the NAB program." In the NAB's first year, hiring totaled 125,000; in the second year, 228,000 and in the third year, 267,000. He noted that the hiring gains were the result of a shift in employment patterns, with heavy industry giving way to NAB participation on the part of smaller firms and service organizations.

Another noticeable shift in NAB patterns has been the trend toward government-sponsored training contracts and away from the voluntary company-paid training programs. While the majority of NAB training is still voluntary, Woodward estimated that the pattern has shifted from a 70-30 ratio to 60-40. One explanation of the change is the nature of the participating companies—to those smaller firms which have neither the facilities nor funds to handle the training on their own.

New Directions

Discussing prospective changes in NAB policy, Woodward emphasized his organization's concern for employment of returning veterans, noting that many of the factors relating to the disadvantaged were present in their situation. Particularly, he pointed to the 13.6 percent unemployment rate among the veterans in the 20-25 age group, and the fact that the figure was double among minority veterans. He also said that among unemployed veterans, some 352 thousand lacked high school diplomas.

Woodward pointed to other programs under review at the NAB, including:

- A revision of the JOBS '70 contract procedures. These are the newest training contract rules, put into effect a year ago. Woodward said that initial changes would be put into effect shortly "aimed at strengthening the contract and meeting some of the criticisms in the GAO report." (See MIS, March 24, 1971, page 318.) Beyond these alterations, Woodward added, NAB and Labor Department officials are "studying basic changes" in the JOBS '70 contract which could be made in a few months.

- A review of upgrading contract training procedures which, he said, "are not very successful." Despite the upgrading options in the JOBS '70 contracts, the NAB officials noted that there were only 91 upgrading contracts in 102 locations so far. One prime source of upgrading contracts is among hospitals and the upgrading of paraprofessionals. Woodward said the upgrading review is being instituted because "upgrading bothers everyone. We don't really know what they're talking about . . . we need to determine what it means."

PAGINATION INCORRECT

• NAB participation in the Family Assistance Program, should it be put into effect, is also being contemplated. "We see the NAB as assisting the Labor Department," Woodward said. "The department is responsible for making those in FAP employed or employable. That's where we fit in."

SUCCESS OF JOBS FOR VETERANS WIDESPREAD IN FIRST SIX MONTHS

The national Jobs for Veterans (JFV) campaign, launched by President Nixon in October 1970 when he formed the JFV committee headed by James Oates, has received support from a wide range of sources, including 95 responses from Congressmen. Remarkable success has been achieved in several cities and "a major effort is being pursued to reach employers and unions through local task forces," a JFV spokesman told MIS. Coordination and assistance from JFV headquarters in Washington and the ambitious work of local groups has led to the use of various media—newspapers, television, radio, posters, and billboards—as potent aids in promoting the employment of veterans.

The intent of the JFV campaign was to promote the use of local task forces in finding jobs for veterans, who are returning to civilian life at the rate of one million per year. The unemployment for this group is now 10.2 percent, up from the 6.2 percent of the first quarter of 1970. There are now 226 cities with populations of 10,000 or more which have some form of activity related to aiding veterans, says a JFV source. Of the major cities, those with 100,000 or more people, 37 have task forces operating. Task forces are made up of businesses, unions, state employment services, employment security offices, and mayors' and governors' offices, among others. They serve as the nucleus of speakers bureaus, which furnish spokesmen to address various civic organizations, service clubs, etc., and generally "spread the word" in support of the JFV drive.

Houston Success Noted

"One of the most energetic efforts on behalf of veterans has been in Houston," a JFV spokesman told MIS. "Veterans job placement there increased 24 percent in the period from February-March of 1970 to February-March 1971." Cooperation from Houston's business sector has been instrumental. One of the local newspapers offers free one-week classified ads to veterans seeking employment and has also reserved 12 of its city distributorships (at $12,000 per year) for veterans. Another paper uses a three line advertisement stating "Best Bet—Hire the Vet" with the address of the local employment service office, and offers cash prizes to the salesmen selling the most advertisements. The Houston Outdoor Advertisers have donated 20 large billboards promoting the hiring of veterans, and a local television station ran a 30 minute documentary on the problems veterans encounter in finding a job.

Successful efforts have been carried out in other cities as well, the spokesman noted. In New York and Buffalo a "hot line" is available for employers to call and list their job openings, which are then routed to veterans representatives, employment services, and government agencies for possible followup by a job-seeking veteran. Supplementing the hot line is a "daily bulletin" of job openings for veterans only, which is distributed to veterans counselors at the local Veterans Administration or Department of Labor office.

In Los Angeles, radio station KPMC announcer Dick Whittinghill airs profiles of veterans, listing their skills, training, and other qualifications, which has resulted in the placement of 35 of 64 men in jobs. "Small town veterans need help also," said the JFV source, and in South Dakota 16 task forces have attempted to contact every employer who might provide a job.

Job fairs, bringing together potential employers and veterans needing jobs, have taken place or are planned in Baltimore, Charlotte, Wilmington, Del., and Omaha. The success of Baltimore's job fair on March 15 is evident in the statistics—1,900 veterans attended, 278 of whom were hired on the spot and an additional 1,474 were referred for tests and interviews.

Concern and action has also come from top government officials. In addition to President Nixon many Cabinet members are involved in the campaign. According to JFV, Secretary of Transportation John Volpe encourages firms dealing with his department to provide training and job opportunities for veterans. In addition, the Office of Economic Opportunity has granted $1.0 million for a 14 month experimental program in Los Angeles, Detroit, Cleveland, Chicago, Indianapolis, and five other cities to be named, which will provide jobs for disadvantaged veterans working to promote wider participation by veterans in education and training programs available under the GI Bill. The Department of Labor has allocated 335 additional spots in the ES for veterans counselors, 17 of which were used in an innovative program in Chicago where Vietnam veterans were hired to serve as the counselors.

Some obstacles to the further success of JFV, says the spokesman, are the tight job market; competition for available jobs among displaced workers, vacationing students and veterans; and union seniority rules which make the recently employed veteran most susceptible to layoffs.

POVERTY, LEGISLATION, & SPENDING ARE KEY TO NIXON'S MANPOWER REPORT

Full opportunity for all citizens remains a central goal for this nation, said President Nixon in submitting the ninth annual *Manpower Report of the President* to Congress. He cited the strides his Administration has made toward achieving its goal, and asked members of Congress to consider the obstacles identified in the report which still stand in the way of success. Noting that the report provides background information for his recommendation on special revenue shar-

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, D.C. 20506

2 APR 1971

Dr. Emory Via, Director
Southern Regional Council
Resources Development Center
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

APR 6 1971

Dear Dr. Via:

The Educational Programs Division of the Equal Employment Opportunity Commission, in cooperation with the Johnson Foundation, is holding a two day workshop on affirmative action for National Jaycees from 50 metropolitan centers.

We would like to invite you to serve as one of the resource persons at the workshop which will be held at the Johnson Foundation Conference Center, "Wingspread," Racine, Wisconsin. The workshop will begin with an evening meal on Thursday, May 13, and conclude with a luncheon on Saturday, May 15.

We are hopeful that it will be possible for you to be with us during the entire program. We believe this conference will be the beginning of a major new thrust of the U. S. Jaycee Operation Opportunity program into the field of employment discrimination. These young men could potentially mobilize the resources of their 50 cities in active support of equal employment opportunity, as well as have a major impact on the program emphasis of the U. S. Jaycees in years to come.

We hope you will be able to accept our invitation. We know that your participation in the seminar would greatly enhance its effectiveness and help ensure its success.

Yours sincerely,

Jed Johnson, Jr.

Jed Johnson, Jr., Acting Chief
Educational Programs Division

April 6, 1971

Mr. Jed Johnson, Jr.
Acting Chief
Educational Programs Division
EEOC
Washington, D.C. 20506

Dear Mr. Johnson:

I have received your invitation to participate in the "Wingspread" Conference sponsored by the EEOC in cooperation with the Johnson Foundation for the Jaycees. I will be able to serve as a resource for that conference and look forward to meeting you and to participating in this undertaking.

If it is possible, it would be helpful to have any materials developed for the conference prior to the conference dates. I would also be interested in knowing which southern cities will be represented.

Sincerely,

Emory F. Via, Director
Resources Development Center

EFV/gms

NEWS

U. S. DEPARTMENT OF LABOR
OFFICE OF INFORMATION, WASHINGTON, D. C. 20210

New File —
Current Proj — Wingspread

USDL - 71-184
Manpower Administration
TEL. (202) 961-4011

FOR RELEASE: A.M. Editions
Tuesday, April 6, 1971

JOB TRAINING BY PRIVATE INDUSTRY SPORADIC, STUDY SUGGESTS

Much of private industry pays little attention to future manpower needs and does little about job training except in times of crisis, a new study sponsored by the Department of Labor reports.

"Aside from management training programs, which tend to have some continuity, a large number of the training programs in private industry are conducted on a sporadic basis . . . .

"The employer turns on his training system when skill shortages grow and he has no choice but to train his own people. Then he turns off his training system when the skill shortages ease to a tolerable level," the study says.

The study, "Training In Private Industry," probed the opinions and practices of 131 employers in the Greater Cleveland area. It was conducted by Dr. John L. Iacobelli of Cleveland State University under a grant from the Labor Department's Manpower Administration.

The study recommended improvements in the Government-industry manpower planning and training system "to forestall inflationary skill-bottlenecks and decrease reliance on tight monetrary and fiscal policies to control inflation."

Employers responding in the survey said that job training has relatively low priority in their operations.

(More)

The study revealed that only a small group of large employers have extensive, continuing programs of formal training.

Other employers recruited manpower from sources that emphasized experience and currently employed workers, the study states, whereas employers with extensive training programs recruited inexperienced workers through schools and, in some cases, through manpower programs.

Employers in the survey thought that the Federal government should absorb about one-half to three-quarters of the cost of training disadvantaged people. Employers considered such training "unprofitable."

The Cleveland area was used as a sounding board for employer practices in the job training field because it has a diverse economy and typifies employment conditions found in other urban areas.

The report, Monograph 22, is one of a series of summaries of research performed under a Manpower Administration grant program. Copies of the monograph are available for 35 cents from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

# # #

Fair Employment Practices

SUMMARY OF LATEST DEVELOPMENTS

No. 160 April 8, 1971

Route to . . .

Copy P. 2 for
Wash. Trip file
pp 4 for
Wingspread Conf.

Civil Service Opposition

The Civil Service Commission reiterates its strong opposition to legislation that would transfer responsibility for enforcing equal opportunity in federal employment from CSC to the Equal Employment Opportunity Commission.

Irving Kator, assistant CSC executive director, tells a House Labor Subcommittee, which is considering such legislation, that to transfer the equal opportunity program away from CSC would "be a disservice to federal employees and applicants for employment." Furthermore, he says, such a move would be detrimental to the government's efforts to make equal employment opportunity a reality in every aspect of federal personnel operations.

Pointing to a substantial increase in the number of minority group workers employed by the government and in the higher salaried jobs, Kator asserts that the CSC has been responsive to the complaints of discrimination by federal employees and applicants and that its EEO program is working satisfactorily.

Leave For Religious Convention

An employer was not justified in discharging an employee who took an unauthorized two-week leave of absence in order to attend a convention sponsored by her religious sect, the Worldwide Church of God, EEOC rules.

The employee was a member of the Worldwide Church of God and the tenets of this religion made attendance at its annual two-week convention compulsory. The employee requested a leave of absence or a vacation in order to attend the convention. The employer denied her request, pointing out that the company policy required vacations to be taken during the two-week plant shutdown and that leaves of absence for more than two days for religious reasons were not sanctioned. Nevertheless, the employee attended the convention, for which she was discharged.

EEOC rules that the employer's policy had the forseeable effect of requiring the employee either to abandon a fundamental precept of her religion or to give up her job. EEOC notes further that the employer made no valid claim of business necessity for its policy nor that the policy had an equivalent effect on other employees.

Although on its face the employer's policy appeared to apply equally to all, in fact it had a harsher impact on this particular employee than on others solely because her religion was different than theirs. (EEOC Decision 71-464, June 3, 1969.)

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Firing Demanded

Edward J. Carlough, president of the AFL-CIO Sheet Metal Workers, demands that President Nixon fire Assistant Labor Secretary Arthur Fletcher on grounds that Fletcher hinted that White House action to curb wage increases was really designed to weaken unions.

In a letter to President Nixon, Carlough says that he was "shocked and angry" to learn that according to Fletcher President Nixon's suspension of the Davis-Bacon Act was not to control inflation but rather to weaken and even destroy the construction unions.

Carlough quoted Fletcher as having told a group of non-union contractors in a speech March 12 that "the era of arrogance and discrimination by some trade unions has ended. The union grip on the processes of government has weakened."

Fletcher says he was trying to get across his idea that some groups, including labor unions, have in the past used governmental processes to get the best-paying jobs for their own members and freeze out other groups, often blacks and other minorities.

Houston Task Force

The Equal Employment Opportunity Commission Houston Task Force continues its attack on job discrimination against blacks, Chicanos, and women, according to a progress report announced by EEOC Chairman William Brown. The Task Force was established in June 1970 after hearings in Houston revealed widespread employment discrimination by the area's major employers and unions.

Brown gives the following status report on the Task Force's 68 cases:

- Action has been instituted in federal district court by charging parties in four cases.
- One case is being readied for court action.
- Five cases are undergoing settlement efforts.
- Investigations have been completed in 54 cases.
- Three investigations are near completion.
- One investigation is administratively closed for lack of jurisdiction.

Some Houston firms have been cooperative, Brown says, but for the most part, those charged with discrimination have not voluntarily complied with the law.

Ohio Laws Superseded

In another court test involving questions of conflict between state and federal laws, the U.S. District Court for the Southern District of Ohio rules that certain sections of the Ohio State law governing employment of women are in conflict with and superseded by Title VII of the 1964 Civil Rights Act.

The court says that specified sections are invalid because they conflict with and frustrate the policy and purpose of the Civil Rights Act produced by Congress. The litigation focused on those provisions in the Ohio law limiting the occupations women may hold, limiting weight lifting, and limiting the hours they may work. The court's view is that the provisions specified in Ohio state laws on employment of women do not establish "bona fide occupational qualifications" within the meaning of Title VII of the Civil Rights Act. (Redinger v. General Motors Corp.—USDC SOhio)

Pre-Hearing Probe

A massive interrogation of the American Telephone & Telegraph Company and its subsidiaries in 30 cities is being conducted by the Equal Employment Opportunity Commis-

File - Wingspread Conf.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, D.C. 20506

April 15, 1971

APR 19 1971

Dr. Emory Via, Director
Resources Development Center
Southern Regional Council, Inc.
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

Dear Dr. Via:

We are pleased to learn from your letter of April 6 that it will be possible for you to be present at the "Wingspread" Conference with the U. S. Jaycees. Enclosed is a copy of the tenative agenda.

I would appreciate your advising me which of the three workshops you would like to serve in as a resource person. They are: Minority Entrepreneurship, Training Programs & Upward Mobility and Voluntary Organization & Social Change. Each of the Jaycees will participate in all three workshops during the day.

The cities will not be selected from applications until late this month. When a participant list becomes available, I shall send it to you.

We look forward to your participation in the seminar and know that your suggestions for follow-up will be valuable.

Yours sincerely,

Jed Johnson Jr.

Jed Johnson, Jr., Acting Chief
Educational Programs Division

Enclosure

JOBS Critique by GAO

The JOBS program's design, operations, and reported results are criticized in a study released by the General Accounting Office. The GAO report is based on an investigation of JOBS programs in five representative cities—Detroit, Portland (Ore.), San Francisco, Oakland, and Seattle—between the inception of JOBS in 1968 and June 30, 1970. Thirty-one federally-funded contracts were studied as well as 70 non-contract employers.

The report notes that the JOBS program is hampered by the fact that it was conceived during a period of high employment and that adequate consideration may not have been given to the effect that an economic contraction would have on the program's operation. In the present economic climate, in order for an employer to participate in the JOBS program, he would have to give preference to disadvantaged persons over persons he would have hired normally in filling job vacancies; this has the effect of shifting the burden of unemployment from disadvantaged persons to others, the report continues. To rectify this situation, GAO recommends that the Labor Department's training efforts focus on skill shortage positions where displacement of other workers can be minimized.

JOBS contracting procedures, by which employers of 25 percent of JOBS trainees are reimbursed for extraordinary training costs, also are criticized. The study argues for the replacement of the present fixed-unit-price contracting procedure with cost-reimbursement contracts in certain cases. It notes that although the fixed-unit-price system involves less record-keeping and "red tape" for the employer, the system has resulted in over-payments in 17 of 31 contracts studied, due primarily to the difficulty of estimating the amount of training the enrollees need or its cost. GAO also says that employers' job pledges frequently are inflated and urges that more care be taken in the award of contracts to ensure that the employer can provide the number of job opportunities he promises. Likewise, it urges a closer watch by the Labor Department on the supportive services pledged by employers, since its study found many instances where promised services were not delivered even though contractors were paid as if they had been.

Finally, the study criticizes the scope of the JOBS program, charging that it serves so broad a spectrum of jobless persons that many of its enrollees are not any different from regular hires. Among non-contract JOBS enrollees, GAO finds so little evidence of enrollees' disadvantaged status that it declares "there is a very limited basis for confidence that employers are hiring only those persons who are disadvantaged." It urges that the Labor Department start making closer checks on information supplied by applicants, such as family income, and carefully screen candidates for non-contract, as well as contract, JOBS vacancies.

The Department of Labor and the National Alliance of Businessmen, who jointly sponsor the JOBS program, in responding to GAO's study, question whether GAO can draw such broad conclusions and recommendations on the basis of a review involving only five cities. Additionally, they acknowledge difficulties in data collection, but warn against complicated reporting or contracting procedures which will deter employers from participating in the JOBS program.

Widespread, Cont

Wrapped Cap

Week of April 19, 1971

JOB TRAINING BY PRIVATE INDUSTRY
SPORADIC, STUDY SUGGESTS

WASHINGTON -- Much of private industry pays little attention to future manpower needs and does little about job training except in times of crisis, a new study sponsored by the Department of Labor reports.

"Aside from management training programs, which tend to have some continuity, a large number of the training programs in private industry are conducted on a sporadic basis . . .

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The study revealed that only a small group of large employers have extensive, continuing programs of formal training.

Other employers recruited manpower from sources that emphasized experience and currently employed workers, the study states, whereas employers

(MORE)

with extensive training programs recruited inexperienced workers through schools and, in some cases, through manpower programs.

Employers in the survey thought that the Federal government should absorb about one-half to three-quarters of the cost of training disadvantaged people. Employers considered such training "unprofitable."

The Cleveland area was used as a sounding board for employer practices in the job training field because it has a diverse economy and typifies employment conditions found in other urban areas.

# # #

(Editor's Note: The report, Monograph 22, is one of a series of summaries of research performed under a Manpower Administration grant program. Copies of the monograph are available for 35 cents from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.)

5-5-71

WINGSPREAD

THE JOHNSON FOUNDATION RACINE, WISCONSIN 53401

SEMINAR ON AFFIRMATIVE ACTION IN EQUAL EMPLOYMENT

sponsored by

The United States Jaycees Foundation

in cooperation with

Equal Employment Opportunity Commission,

The National Center for Voluntary Action

and

The Johnson Foundation

CONFERENCE INFORMATION

The Johnson Foundation is pleased to welcome you to the conference to be held at Wingspread, 33 East Four Mile Road, Racine, Wisconsin convening at 6:00 p.m. on Thursday, May 13 and adjourning at 2:30 p.m. on Saturday, May 15.

HOUSING: You have been pre-registered at the Holiday Inn, 3700 Northwestern Avenue, Racine, Wisconsin (Telephone 414-637-9311) for the nights of May 13 and 14. Those conferees who will need additional accommodations please advise on the enclosed green form.

TRANSPORTATION: If you arrive at Mitchell Field, Milwaukee a Wingspread driver will meet you at the airline desk and bring you either to the Holiday Inn, or directly to Wingspread, depending upon the time of your arrival. If the driver does not contact you there, please call the Foundation collect (Telephone 1-639-3211).

The Foundation must have information about your arrival time, and airline flight number or train schedule, at least 48 hours ahead of conference time so that we can provide transportation for you.

Conference Information (Continued)

TRAVEL FORM: We would appreciate having the enclosed green form returned to us by May 11.

LOCAL TRANSPORTATION: Transportation will be provided between the Holiday Inn and Wingspread and to points of departure at the close of the conference.

MEALS: Breakfast will be available at the Holiday Inn. Luncheon and dinner will be served at Wingspread.

RECREATION: A putting green, nature trail walks, bicycling and other forms of recreation are available on the Foundation grounds. A swimming pool is available at the Holiday Inn.

LUGGAGE: In order to facilitate departure and avoid delay, please bring your luggage with you to Wingspread on the day of departure.

If you have any questions concerning the conference, please write or telephone Mrs. Kay Mauer, Conference Coordinator at the Foundation, (Telephone 414-639-3211).

5/5/71

THE JOHNSON FOUNDATION
IN RACINE, WISCONSIN

OFFICE OF THE PRESIDENT

May 7, 1971

Dear Mr. Via:

We were pleased to learn from David Henderson, Senior Program Manager, United States Jaycees, that you will participate in the seminar on AFFIRMATIVE ACTION IN EQUAL EMPLOYMENT to be held May 13-15 at Wingspread, Racine, Wisconsin.

The Johnson Foundation is privileged to be your host for this meeting. Through sharing this conference experience we expect to increase our insight into ways which will lead the Foundation to an even more meaningful role in this area.

Wingspread, which will be your working home for the period of the conference, was designed by Frank Lloyd Wright and serves as a secluded, informal setting for creative thought and free discussion.

We look forward to greeting you at Wingspread, and trust that your stay here will be both productive and enjoyable.

Cordially yours,

Leslie Paffrath

LP/js

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
WASHINGTON, D.C. 20506

MAY 26 1971

May 21, 1971

Dr. Emory Via, Director
Southern Regional Council
Resources Development Center
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

Dear Dr. Via:

I want to thank you for being present with us at the "Wingspread" seminar on equal employment opportunity. We appreciate your taking time from your busy schedule to serve as a resource person and thank you for your contribution to the success of the program.

I hope that it will be possible for us to develop some programs together in the future. I am particularly interested in exploring the possibility of the Southern Regional Council serving as a co-sponsor of a seminar on upward mobility in the South this fall.

Again, our many thanks.

Yours sincerely,

Jed Johnson Jr.

Jed Johnson, Jr., Acting Chief
Educational Programs Division

May 25, 1971

Dr. Walter Cooper
68 Skyview Lane
Rochester, New York 14625

Dear Walter:

It was good to both hear you and to get to meet you at the recent EEOC-Jaycee "Wingspread" Conference. This note, however, is to thank you for your graciousness in making it possible for me to substantially ease my transportation problems. I am indeed sorry that this interfered with your farewell with Jed Johnson.

Many thanks. Trust we will have an occasion to meet again. If ever you are traveling South, please attempt to stop by the Council's offices.

Sincerely,

Emory F. Via, Director
Resources Development Center

EFV/gms

BEST COPY AVAILABLE

file

May 26, 1971

Mr. Jed Johnson, Jr.
Acting Chief
Educational Programs Division
EEOC
Washington, D.C. 20506

Dear Jed:

I was pleased to be a part of the "Wingspread" Conference. Your good efforts led both to useful exposure and learning.

We will be happy to discuss a possible conference in the South. If you are aiming towards fall, we should not delay too long in having some preliminary conversations.

Sincerely,

Emory F. Via, Director
Resources Development Center

EFV/gms

P.S. Walter Cooper left earlier than scheduled on the last day of the conference to accommodate my last minute travel changes. In doing so, he missed saying his farewell to you in person. I'm sorry for that for I know he was disappointed.

June 1, 1971

Mr. Jed Johnson, Acting Chief
Educational Programs Division
EEOC
Washington, D.C. 20506

Dear Jed:

Since getting conference feedback is at times difficult, I thought you might like to see the enclosed letter.

Best wishes.

Sincerely,

Emory F. Via, Director
Resources Development Center

EFV/gms
Encl.

Bias suit lawyers asking $650,000

BY INGRID KINDRED
News staff writer

More than $650,000 has been requested as attorney fees and expenses for seven attorneys who represented private plaintiffs in employment discrimination suits against U.S.Steel Corp's Fairfield Works and 12 locals of the United Steel Workers Union.

The claims have been presented to U.S. Dist. Judge Sam Pointer Jr.

POINTER heard evidence by several attorneys Monday in support of their fee claims, as well as calculations made by the company in connection with some $200,000 in back pay to be awarded black employes in three of the six cases presented by private plaintiffs.

The judge issued an order May 2 scrapping old seniority rules at Fairfield Works and realigning plant lines of promotion.

In that order, he also set out the categories of employes who would receive back pay, and ordered the company and union to share in the payment of fees to the private plaintiffs' attorneys.

No back pay award was ordered for all black employes at the plant as had been requested by the U.S. Justice Department.

The company has prepared alternative methods of payment to black employes in three of the cases, according to a formula set by Pointer.

I one of its calculations, the company set out the amount of money that affected blacks would have received had there been no discrimination in the shops in which they work. It also contains an "override" of the amount those employes should receive, based on a formula relating to the amount of time it would take them to reach the point on the promotion lines they probably would have reached had there been no discrimination.

A company attorney said the calculations took into account money paid by the company to the employes during layoffs and reductions in force.

SOME of the affected employes, according to the calculations, will receive no back pay. Instead, they are listed as being "overpaid", according to Pointer's formula. The company, however, cannot recover the overpayment

Taking all the calculations into effect, the average amount of back pay involved is about $200,000. It is to be divided among persons in the three cases.

The McKinstry-Hubbard case, which involves black finishing hookers in the plate mill, affects eight employes.

The Hardy case involves back pay for 20 hookers and cranemen.

Some 27 men are involved in the back pay issue in the Ford case, which involves the Pratt City Car Shop.

Other black employes work in jobs affected by the McKinstry and Hardy cases, but according to the company's calculation, they have been overpaid.

The company has requested that adjustments be made in back pay regarding those black employes who have refused promotional opportunities, but the plaintiffs' attorneys have argued against such.

Plaintiffs' attorneys have also asked Pointer to consider setting an amount of back pay to be distributed among the affected persons on an individual situation basis.

EEO - Col.

U. S. Steel to pay $406,000 in fees, back pay to blacks

8-13-73 B.N.

BY INGRID KINDRED
News staff writer

The total amount of attorneys' fees and back pay to be awarded in six federal court cases involving employment discrimination at U. S. Steel's Fairfield Works is $406,091.61.

A story in some editions of Saturday's News reported the amounts incorrectly.

IN AN ORDER issued Friday concerning the back pay and attorneys' fees, U. S. Dist. Judge Sam Pointer ruled that:

In the McKinstry-Hubbard case, which involves black finishing hookers in the plate mill, eight employes will share in $45,932.59. The company will pay half that amount, with the other half to be paid by the United Steelworkers Union and its Local 1013.

Attorney U. W. Clemon will receive $58,000 for fees and expenses for representing blacks in that case.

The 20 employes affected by the decision in the Hardy case, which involved hookers and cranemen, will receive $43,125.96 total from the company, union and Local 1489. Attorney Oscar Adams, lawyer for blacks in that case, will get $53,000 in fees and expenses.

In the Ford case, which involved blacks at U. S. Steel's Pratt City Car Shop, 33 black employes will share in $112,033.06, to be paid by the company, union, and Local 1733. Attorney James Baker will receive $58,500 in fees and expenses.

In each of those three cases, Pointer has ordered the company to pay half of the attorneys fees and back pay, and the union and local involved to pay the other half.

THE EMPLOYES in the suits will receive varied back pay calculated on an individual basis, according to a formula established by Pointer. The formula purports to make up the difference in salary the black employes would have received had there been no discrimination in the plants and the lines of promotion in which they worked.

In the three cases, the highest amount of back pay to be awarded an individual is $9,851.90 in the McKinstry case; $9,531.84 is the highest amount an employe will receive in the Hardy case and $6,856.52 is the highest single amount in the Ford case.

The suits were brought under Title VII of the 1964 Civil Rights Act which provides for payment of attorneys' fees and back pay where discrimination is found.

The back pay is subject to withholding and other applicable taxes, according to Pointer's order.

In other cases, attorney Richmond Pearson was awarded $9,000 in each of two cases he handled, and attorney Demetirus Newton will receive $17,000.

Pearson's cases involved black millwrights and those in the Maintenance of Way Department. Newton's case involved blacks in the machine shop at Fairfield Works, and in trade and craft jobs. No back pay was awarded in those cases.

EEO-Corp

George Harris 10/12/73

Emory Via

Sorry I will be in a meeting all morning and won't be able to discuss with you further on the proposed EEO program. We had gone so much to the problem of substance and interpretation and inter-organizational politics, that we have not gone to the issue of style and clarity. I have not really attempted to proof read the documents but have the impression that it does need it. Further, I think even for our select group that the first two paragraphs are unnecessarily vague and indirect. Can't we say simply "discrimination in employment","the 1972 Amendments to Title VII" and "recent court decisions" instead of the language used. For instance: "new employment law" seems to me rather misleading.

On page one of the memo, point 2, say union "officials" rather than "officers". Same page, fifth line from bottom, strike "state" in front of "representatives of organized labor."

I thought it was universally agreed not to box women off into one corner.

On page four, point D, I would either leave this out or "generalize" it. I realize that in the heat of Wednesday's discussion that this point was not made. But it ties us down to "proceedings" and to a deadline. But, if you will pardon the needle, you made it crystal clear on Wednesday that you were ready to take this whole thing on and that there really was no reason we couldn't do it.

Good luck. I should be back in by noon or soon thereafter.

Via - EEO - Conference

RAYMOND M. WHEELER, PRESIDENT
PATRICIA M. DERIAN, VICE-PRESIDENT
C.G. GOMILLION, VICE-PRESIDENT
LUCIUS H. PITTS, VICE-PRESIDENT
JOSEPHINE WILKINS, VICE-PRESIDENT
VIVIAN W. HENDERSON, CHAIRMAN, EXECUTIVE COMMITTEE
JOSEPH HAAS, COUNSEL
GEORGE H. ESSER, JR., EXECUTIVE DIRECTOR

Southern Regional Council, Inc.
52 FAIRLIE STREET, N. W. ATLANTA, GEORGIA 30303

A Council to attain the ideals and practices of equal opportunity for all peoples in the South

October 12, 1973

Received by Via - 10/15/73

Dear

Ask

A standing concern of the Southern Regional Council is the inequitable distribution of employment in the South, and, more particularly, the effects of racial and sexual discrimination represented in that distribution. This standing concern is one point of reference for the conference on equal employment opportunity in the South which the Council will sponsor next month. A second point of reference is the recent evolution of an important new body of law and major complementary initiatives by the Federal Government, providing legal remedies for victims of employment discrimination.

Although the Council's concern appears to have been given support through the 1972 Amendments to Title VII of the Civil Rights Act, some careful thought is still in order. For example, organized labor, a traditional ally in the struggle to eliminate discrimination, apparently shares with employers some vulnerability in court ordered relief. Thus, if the Council and others sympathetic to many of the objectives of labor are to protect traditional alliances, while pursuing legal relief from employment discrimination, then the new law and its strategic implications must be clearly understood. The magnitude of these and related issues warrant that we assemble persons with specific knowledge of what the new law implies for public agencies, private firms, organized labor, and for

civil rights groups specializing in employment. With representatives from each of the areas, we hope to encourage both an atmosphere of cooperation and the level of dialogue required for identifying strategies to end employment discrimination.

As Council members concerned with these objectives, we need your help in the following ways:

1. Will you please comment on, and criticize, the objectives, scope and format of the conference that is proposed?

2. Will you give us your advice on persons who are best qualified to serve as speakers and panelists for the conference? The names presented in the format section are tentative and suggestive. We cannot issue blanket invitations to all those persons who represent the kinds of organizations we want to reach. We must be selective, and you can help us in this process.

3. We have reserved November 16-17 for the conference, and our time schedule is tight. But any delay would carry us past the first of the year. We hope to go ahead in November, and thus we will need to have your comments by October 17 or 18.

4. Call or write George Harris, Economic Development Task Force Coordinator, or me. The WATS number is 800-241-4288. If we do not hear from you, Mr. Harris will try to call you.

<u>The Objective of the conference</u>

The SRC objectives for the Equal Employment Opportunity Conference can be stated simply:

1. The new law, and supporting federal administrative guidelines, must be fully and freely discussed. Moreover, they must be discussed and understood in the context of what they imply for organized labor, public and private employers, attorneys for plaintiffs and defendants, and for others interested in equal employment.

2. To our knowledge, most conferences since the 1972 Amendments have had the comparatively narrow focus of specific interest groups - employers, educational institutions, etc. Meanwhile, there is a specific unmet need to inform citizens of the intent and scope of the new provisions in the law. For this reason, the conference will consider ways in which the technical, legal provisions of the law can be presented in simpler fashion and publicized for the benefit of that much larger audience of both employers and employees who need good information as the basis for action.

Who are we really after reaching?

3. We believe a wide range of groups and organizations should be represented so that we can encourage the kind of discussion that will lead to more comprehensive solutions to problems of employment discrimination in the region.

The Focus of the EEO Conference

The Conference will focus on employment in two areas -- in state and local government and in private employment. The public sector, the largest "growth industry" in the region, has as poor a record in employment discrimination as that in the private sector. More importantly, public employment is now included under the expanded provisions of federal anti-discrimination law, as are all unions with 15 or more members and firms with federal contracts of $50,000 and above.

Was this in draft BV Sent & why is it included

Please find enclosed a memorandum of the tentative plans for implementing the conference.

Sincerely yours,

Harry J. Bowie
Associate Director

HJB:syc
Enclosure

RAYMOND M. WHEELER, PRESIDENT
PATRICIA M. DERIAN, VICE-PRESIDENT
C.G. GOMILLION, VICE-PRESIDENT
LUCIUS H. PITTS, VICE-PRESIDENT
JOSEPHINE WILKINS, VICE-PRESIDENT
VIVIAN W. HENDERSON, CHAIRMAN, EXECUTIVE COMMITTEE
JOSEPH HAAS, COUNSEL
GEORGE H. ESSER, JR., EXECUTIVE DIRECTOR

Southern Regional Council, Inc.
52 FAIRLIE STREET, N. W. ATLANTA, GEORGIA 30303

A Council to attain the ideals and practices of equal opportunity for all peoples in the South

October 12, 1973

M E M O R A N D U M

TO: Harry J. Bowie

FROM: George Harris

The following are tentative plans for implementing the EEO Conference:

I. Strategy to Implement EEO Conference

A. Invitational letters and materials will be mailed to selected representatives of the following kinds of organizations:

1. Private Firms
2. Regional and National Union Officials and their Legal Counsel
3. Labor Law Professors and practicing attorney
4. Third-year Law Students

5. State and Local Personnel Officers
6. State Attorneys General, City and County attorneys
7. Manpower Research Specialists
8. Women's Organizations and civil rights groups specializing in employment

(We plan to issue 200 or more invitations. Anticipating 50% attrition).

What about minority groups?

B. Assistance will be needed to encourage the presence of key public officials and representatives of organized labor. Several of the SRC board members could well provide such assistance (and moreover, become a subcommittee of the Task Force on Economic Development on employment discrimination in the region, tracking significant events and alerting the Council and staff to prospects for strategic involvement).

II. <u>Format for EEO Conference</u>

DATES: Friday and Saturday, November 16 and 17, 1973

PLACE: Sheraton - Emory

PARTICIPANTS: 75-100

A. Morning, Friday, November 16, 1973

1. Welcome address: Dr. Ray Marshall
2. Presentation by Don Hollowell
   a. Topic: "The Pursuit of EEO in the Region: An Overview"

3. Presentation by Bill Gould

   a. Topic: "EEO Legal Requirements and Private Sector Employment"

4. Presentation by Jerry Wurf

   a. Topic: "EEO Legal Requirements and Public Sector Employment"

B. Luncheon

1. Presentation: Jean Fairfax

   a. Topic: "Employment Opportunities for Southern Women"

C. Afternoon Workshops

1. What the Law Requires in Private Employment

   a. Panelists: Al Kehrer, Jean Fairfax, Bill Gould

2. What the Law Requires in Public Employment

   a. Panelists: Savannah Potter, Jerry Wurf, Allen Black, Don Hollowell

3. Litigating EEO Cases

   a. Panelists: Jim Youngdahl, Thelma Wyatt, Robert Bolton

4. Women Rights and Legal Requirements in EEO

   a. Panelists: Alexis Herman, Allen Black, Richard Sobol

D. Supper

?

1. Presentation: Norman Hill

a. Topic: Organized Labor and Civil Rights: Developmental Strategy for the 70's

E. Morning, Saturday, November 17, 1973 - Assembly

1. Summary Workshops

a. Each workshop will identify resources available and resources needed for effective efforts against employment discrimination.

b. Each workshop will report out the status of resources and recommend steps which will help bring employment practices within the provisions of law.

F. Close of Conference

III. Mechanics of Conference

A. Each presenter will be expected to submit copies of their respective presentations in advance.

B. Each workshop will have a recorder who will develop the following summaries:

1. Summary of major points discussed in the workshops, including a significant objections.

2. Major strategy recommendations and criticisms of those recommendations.

3. Major points in discussions of resources available and needed to support recommended strategies.

C. Each workshop will be led by two (or more) persons with experience in the respective workshop area.

D. A record of the conference will be published as conference proceedings.

E. Major regional media representative will be alerted in sufficient time to provide coverage for the conference.

EV

EEO - Conference

RAYMOND M. WHEELER, PRESIDENT
JOSEPHINE WILKINS, VICE-PRESIDENT
C. G. GOMILLION, VICE-PRESIDENT
LUCIUS H. PITTS, VICE-PRESIDENT
VIVIAN W. HENDERSON, CHAIRMAN, EXECUTIVE COMMITTEE
JOSEPH HAAS, COUNSEL
GEORGE H. ESSER, EXECUTIVE DIRECTOR

EEO Conference Mailing

Southern Regional Council, Inc.
52 FAIRLIE STREET, N. W. ATLANTA, GEORGIA 30303
522-8764

A forum for ground-level leaders and programs offering opportunity for all people in the South

October 22, 1973

Professor William Williams
Chairman
ACLU o Virginia
608 Progress St., N.E.
Blackburg, Va. 24060

Dear Prof. Williams:

A standing concern of the Southern Regional Council is the inequitable distribution of employment in the South, and, more particularly, the effects of racial and sexual discrimination on that distribution. To help persons and organizations focus more effectively on ways to end discrimination, the Southern Regional Council will sponsor a conference on Equal Employment Opportunity in the South, to be held at the Sheraton-Emory Hotel in Atlanta on November 16 and 17.

The purpose of the conference is to fully and freely discuss the 1972 Amendments to the Civil Rights Law and the new authority of the Equal Employment Opportunity Commission, which provide legal remedies for victims of employment discrimination. Resource persons from public

agencies, private firms, organized labor, law firms, and civil rights groups specializing in employment will be on hand to help us define what the new law implies for all of us. We hope to encourage at the conference both an atmosphere of cooperation and the kind of dialogue required for identifying strategies to end employment discrimination.

The conference will focus on employment in two areas - in state and local government and in private employment. The program will emphasize the implications of the new provisions of the federal anti-discrimination law, which now covers public employment, unions with 15 or more members, and firms with federal contracts of $50,000 and above.

The Southern Regional Council cordially invites you to attend this conference. There is no fee, and two meals on Friday, November 16, will be provided at no cost. Unfortunately, the Council cannot provide for your travel and living expenses. Enclosed you will find an agenda and a registration form. We hope you will reply to our invitation as soon as possible.

Sincerely yours,

George H. Esser

George H. Esser, Jr.
Executive Director

Harry J. Bowie

Harry J. Bowie
Associate Director

RAYMOND M. WHEELER, PRESIDENT
PATRICIA M. DERIAN, VICE-PRESIDENT
C.G. GOMILLION, VICE-PRESIDENT
LUCIUS H. PITTS, VICE-PRESIDENT
JOSEPHINE WILKINS, VICE-PRESIDENT
VIVIAN W. HENDERSON, CHAIRMAN, EXECUTIVE COMMITTEE
JOSEPH HAAS, COUNSEL
GEORGE H. ESSER, JR., EXECUTIVE DIRECTOR

Southern Regional Council, Inc.
52 FAIRLIE STREET, N. W. ATLANTA, GEORGIA 30303
522-8764

October 23, 1973

A standing concern of the Southern Regional Council is the inequitable distribution of employment in the South, and, more particularly, the effects of racial and sexual discrimination represented in that distribution. This standing concern is one emphasis for the Conference on Equal Employment Opportunity in the South which the Council will sponsor next month (November 16, 17 - Sheraton Emory Hotel, Atlanta, Georgia). A second emphasis is the recent evolution of an important new body of law and major complementary initiatives by the Federal Government, providing legal remedies for victims of employment discrimination.

We are requesting that you serve as a panelist in a workshop on "What the Law Requires in Private Employment." The workshop is scheduled for Friday afternoon, November 16. The panel will consist of other individuals who are knowledgeable about the problem and legal provisions of Title VII and the 1972 Title VII amendments.

To our knowledge, most conferences since the 1972 Amendments have had the comparatively narrow focus of specific interest groups - employers, educational institutions, etc. Meanwhile, there is a specific unmet need to inform citizens of the intent and scope of the new provisions in the law. For this reason, the conference will consider ways in which the technical, legal provisions of the law can be presented in simpler fashion and publicized for the benefit of that much larger audience of both employers and employees who need good information as the basis for action. We think that you share with the Council the belief that racial and sexual discrimination can be effectively challenged if substantive information reaches those being adversely affected. The panel on which you would serve can offer through an exposure and discussion of the issues and strategy for systematically confronting inequitable distribution of employment.

The success of this endeavor rest with those who serve as resource persons. We believe that through objective and detailed

analysis of caselaw and new statutory provisions, the program of the conference will render a service to participants and their constituency. We are dependent upon the contribution that you could personally make. The Council will pay your travel and living expenses.

It is our sincere hope that you will find it possible to serve in this capacity as we look forward to working together.

Sincerely,

Harry J. Bowie
Associate Director

syc

File - EEO - Conference (SRC - 1973)

EQUAL EMPLOYMENT OPPORTUNITY: NEEDS and TOOLS

CONFERENCE AGENDA

NOVEMBER 16-17, 1973

Welcome to the Southern Regional Council's Conference on Employment Opportunities for Southerners. We are pleased that your interest in the equitable distribution of employment has surpassed your busy schedule.

As the following agenda indicates the workshops for the day will be held in the afternoon; please select a workshop that interests you most. But, as the workshops are also intended to facilitate discussion their size should be kept at 30 or below:

Morning, Friday, November 16, 1973

10:00 - 10:15	Welcome:	Harry J. Bowie, Associate Director, Southern Regional Council, Inc.
10:15 - 10:45	Presentation:	Don Hollowell, Regional Director, Equal Employment Opportunity Commission, Atlanta, Georgia.
	Topic:	"The Pursuit of EEO in the South: An Overview"
10:45 - 11:00	Discussion Period	
11:00 - 11:30	Presentation:	Bill Gould, Professor of Law, Stanford University, Chief Counsel for Private Plaintiffs in Stamps et.al. vs Detroit Edison et.al., Stanford, California.
	Topic:	"EEO Legal Requirements and Private Sector Employment"
11:30 - 11:45	Discussion Period	
11:45 - 12:15	Presentation:	William Lucy, Secretary Treasurer, AFSCME, Washington, D. C.
	Topic:	"Title VII Amendments and Public Sector Employment"

CONFERENCE AGENDA - 2

12:15 - 12:30 Discussion Period

1:00 LUNCHEON

1:30 - 2:15 Presentation: Margaret P. Hames, Attorney, Chief Counsel for Plaintiffs in Doe vs Bolton, Atlanta, Georgia.

Topic: "Employment Opportunities for Southern Women"

2:15 - 2:30 Discussion Period

2:30 - 4:30 AFTERNOON WORKSHOPS

1. What the Law Requires in Private Employment:

SEVILLE ROOM

Allen Black - Moderator - Director, LDF/NAACP, Memphis, Tennessee.

Bill Gould - Professor of Law, Stanford University, Stanford, California.

Louise Hornsby - Attorney, Atlanta, Georgia.

2. What the Law Requires in Public Employment:

ROOM 227

Don Hollowell - Moderator - Regional Director, EEOC, Atlanta, Georgia.

John Swan - Educational Director, Recruitment Training Program, Inc., New York, New York.

David Crosland - Attorney, Atlanta, Georgia.

Bill Lucy - Secretary Treasurer, AFSCME, Washington, D.C.

3. Litigating EEO Cases:

EMORY ROOM A

Robert Belton - Moderator - Attorney, Charlotte, North, Carolina.

Roger Martinson - Acting Regional Attorney, EEOC, Atlanta, Georgia.

Isabel Webster - Attorney, Atlanta, Georgia.

Susan Reeves - Director-Attorney, Committee for Civil Rights Under Law, Birmingham, Alabama.

4. Women and EEO Legal Requirements:
Joan Green - Moderator - Regional Director, Women's Bureau U.S. Dept. of Labor, Atlanta, Georgia.

EMORY ROOM B

Clayton St. Clair - Attorney, Atlanta, Georgia.

Margaret P. Hames - Attorney, Atlanta, Georgia.

Thomas McPherson - District Director, Atlanta EEOC, Atlanta, Georgia.

Marilyn Holifield - Attorney, LDF, New York, N.Y.

4:30 - 5:00	BREAK
5:00 - 6:00	CASH BAR
6:00 - 7:00	SUPPER
7:15 - 8:00	Presentation: Joe Rauh, General Counsel, Leadership Conference on Civil Rights, Washington, D. C. Topic: "Equal Employment Opportunity and Civil Rights: Strategy for the 70's"
8:00 - 9:00	Special Interest Caucuses

Morning, Saturday November 17, 1973

9:00	GENERAL ASSEMBLY
9:15 - 9:45	Presentation: Robert H. Sand, Associate Counsel, Allied Chemical Corp., Morristown, N.J. Topic: "Management and the 1972 Title VII Amendments: Litigation or Voluntary Compliance?"
9:45 - 10:00	Discussion Period
10:00 - 11:30	Summary Workshops
11:30 - 12:00	Closing Session

DOMESTIC REPORT

FACTS *Reports on organized anti-Semitism*

JANUARY 1961, VOL. 14, NO. 1 — PUBLISHED BY THE ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH

The Ku Klux Klans

The year 1960 was marked by a sharp increase in Ku Klux Klan activities and by consolidation of previously splintered Klan groups in seven states. These developments date, in point of time, from the start of the sit-in movement early in February.

Despite membership losses in some areas, on net balance the Klans probably gained strength in 1960 throughout the South as a whole. Total Klan membership is estimated at 35,000 to 50,000.

There are two major competing Klan groups in the South—the U. S. Klans, Knights of the Ku Klux Klan, which had been dominant for six years, and the newly-formed National Knights of the Ku Klux Klan. The National Knights, formed late in February—probably as a response to the sit-in movement and spreading school desegregation—is a loose confederation of splinter Klans in which each unit retains its identity and autonomy. Formation of the National Knights arrested—and reversed—an earlier trend toward continuing fragmentation of the Klans.

Some local Klans remain unaffiliated with these major Klan groups. The most important is the Alabama Knights of the Ku Klux Klan, Inc., which is gaining a dominant position in that state, and which reportedly is veering toward affiliation with the National Knights.

cf. most recent "button down" Bed Sheet

Both major Klan groups and the more important unaffiliated units are led by "activists" and extremists. Violence and anti-Semitism by the Klans is increasing, and the increase will probably continue.

The National Knights Of K.K.K.

The sit-in movement was launched at Greensboro, N. C. on February 2, 1960. A few weeks later, on the weekend of February 27-28, 1960, representatives of splinter Klan groups from seven southern states met at the Henry Grady Hotel in Atlanta and formed a "National Klan Committee" to coordinate their activities.

While there is no proof of a cause-and-effect relationship, the general evidence seems to support the assumption that the sit-ins—as well as the continuing spread of school desegregation—spurred that Klan action. The Klans represented at the Atlanta meeting had long been opposed to the U. S. Klans, Knights of the Ku Klux Klan which, with an estimated 15,000 to 20,000 members, had for six years been the largest single Klan group and the only one with any semblance of unity and cohesion.

The fact that opposition to the U. S. Klans was the only common bond uniting the splinter Klans that met in Atlanta dictated the structure of the new Klan group that emerged and which is now called the "National Knights of the Ku Klux Klan." It is a loose confederation of the splinter Klans involved, in which each unit retains its identity and its autonomy, and in which central leadership is on a rotating basis.

The National Knights is a going concern which has posed a threat to the supremacy of the U. S. Klans for the first time in six years. Following the original meeting in Atlanta, leaders of the National Knights met regularly to map plans and strategy—on March 12 at Chattanooga, Tennessee, on April 10 at Columbia, South Carolina, on May 22 at Atlanta, on July 17 at Orlando, Florida, and on October 23 at Savannah, Georgia.

The National Knights has already showed that it means business. At the original meeting in Atlanta, a proposal was made that the new Klan confederation show its strength by burning crosses throughout the South on the last weekend in March. Newspapers in the South reported that on Saturday, March 26, more than 1,000 crosses were burned in Alabama, Florida, Georgia, South Carolina and several other southern states. There was every indication that these cross-burnings were a coordinated effort.

There is evidence, moreover, that Klansmen from Florida and South Georgia were mobilized and that they took part in the race riots that shook Jacksonville, Florida, for almost a week, starting on "axe-handle" Saturday, August 27, 1960. Tactics to counteract the sit-in movement, of which Jacksonville was then a target, were discussed at a meeting of the Jacksonville klavern of the Florida Knights of the Ku Klux Klan four days earlier—on August 23rd—and a call went forth to other Klan units, urging them to converge on Jacksonville the following Saturday, and to bring Klan sympathizers with them. They were urged to leave all Klan identification at home and come in street clothes. Scores of Klansmen responded, and scores of other white men were also in downtown Jacksonville on Saturday morning, August 27th. Stores selling axe handles and baseball bats reported heavy sales, and one store alone reportedly sold 50 axe handles. Violence broke out by noon. During the disorders, shouts that "For every nigger, we got to kill two Jews!" were heard.

The Jacksonville race riot may well prove a harbinger of future Klan activity in other communities that become targets of the sit-in movement.

During the year, in addition to meetings, cross-burnings and violence, the National Knights of the KKK staged rallies and "speakings" with estimated attendances ranging from 200 to 800.

PAGINATION INCORRECT

U. S. Klans, Knights Of K.K.K.

Although the U. S. Klans, Knights of the KKK remains the largest single Klan group in the country, for the first time it finds itself faced with a real threat to its six-year supremacy—the threat posed by the National Knights.

Until his death, on August 1, 1960, Imperial Wizard Eldon Edwards of the U. S. Klans had rejected, at least in public statements, acts of violence by his group. He had sought to convey to the general public an image of the U. S. Klans as a respectable, loyal and non-subversive organization, but his critics contended that his real interest in the Klan was solely to make money for himself.

In any event, during his six years of leadership, the U. S. Klans held relatively few public parades or cross-burnings, and its main activity appeared to consist, for the most part, of an occasional picnic or fish-fry. Edwards' death on August 1, 1960 not only brought a new leader—Robert Lee (Wild Bill) Davidson—but also a radical change in the stated policies and in the actual activities of the U. S. Klans. Since taking power in October, Davidson—a former Grand Dragon of the U. S. Klans for the State of Georgia and a leader in the strong and active Macon unit—has embarked on an "activist" policy in the Klan effort to preserve segregation.

Unlike Edwards, who felt that the Klan could not "get away" with acts of violence, Davidson has publicly advocated extreme measures to preserve segregation.

At a big U. S. Klans meeting in a downtown Atlanta hotel on November 30, Davidson declared that the U. S. Klans would do everything possible to preserve segregation and shouted: "If it takes buckshot to keep the black race down, Klansmen will use it."

News dispatches also quoted an Atlanta attorney, identified as Klan legal adviser, as calling on Klansmen to burn the schools if necessary to prevent integration. Rev. E. E. George, Baptist evangelist and chaplain of the U. S. Klans, was quoted in the press as saying: "If it takes saving the American way at the cost of our lives, then let's make that sacrifice."

An Atlanta reporter wrote that the Klan speakers professed love for all races while shouting of "Jew boys" and "niggers," and that they talked of respect for law, order, and constituted authority while shouting of using buckshot, burning schools, and sacrificing lives in the Klan cause.

There are already signs that the U. S. Klans are carrying out Davidson's new "activist" policy. They are pushing newsstand distribution of their often anti-Semitic paper, "The Rebel." In the last weeks of 1960, members of the U. S. Klans staged several picketing demonstrations in downtown Atlanta. One of the demonstrations took place at a large department store where sit-in sympathizers also were picketing. Others took place at offices of the Atlanta Journal and Constitution and at the U. S. Post Office.

In January, 1961, when the University of Georgia, at Athens, was ordered by a Federal Court to integrate—and two Negro students were admitted—a riot took place at the campus on the night of January 11th. Newspaper reports on the riot noted the presence of Klansmen on the scene, in civilian clothes. The New York Times and other papers said they were led by Calvin Craig, Grand Dragon of the U. S. Klans for the State of Georgia. The Times said the Klansmen distributed copies of "The Rebel."

The Associated Press reported on January 12th that nine out-of-towners from the Atlanta area—all but one members of the KKK—had been arrested, and that the police had confiscated a small arsenal of loaded guns. The AP said two of the men were special Fulton County (Atlanta) deputy sheriffs. Six of the nine were charged with disorderly conduct and carrying a deadly weapon to a public gathering. Three were charged with disorderly conduct and carrying a deadly weapon to a public gathering. Three were charged with disorderly conduct only.

It is still too early to tell what other directions Davidson's new policy of "activism" will take, and how far he will go. It is also too early to tell whether the new policy will lead to membership gains for the U. S. Klans in its current struggle for supremacy with the National Knights. There have, however, been reports that the U. S. Klans have made substantial gains in Florida since Davidson took power, but other sources say the National Knights have also gained in Florida. Both reports are probably true, indicating a general gain in Florida by the Klans.

Alabama Knights of K. K. K.

There are still some local Klan groups in various parts of the South which are not affiliated with the U. S. Klans or the National Knights.

The most important of these, deserving special mention, is the Alabama Knights of the Ku Klux Klan, Inc. It is headed by Robert Shelton, former leader of the U. S. Klans in Alabama until he was ousted by Edwards last spring.

Shelton is an outspoken anti-Semite who at Tuscaloosa last October called the Governor of Alabama, whom he had publicly supported, a "tool of the Jews." Also in October, Shelton's Klansmen distributed copies of Conde McGinley's notoriously anti-Jewish newspaper, "Common Sense," at a large rally in Gadsden.

Shelton appears to be making rapid progress in absorbing local klaverns, including many formerly affiliated with the U. S. Klans, into the Alabama Knights, and it is considered possible that he may also capture the re-

FACTS

Funds for the work of the Anti-Defamation League are raised through the Joint Defense Appeal.

is a periodic report by the Anti-Defamation League of B'nai B'rith, 515 Madison Ave., New York 22, N. Y.

Officers: Henry Edward Schultz, chairman; Meier Steinbrink, honorary chairman; Barney Balaban, A. G. Ballenger, Philip M. Klutznick, Herbert H. Lehman, Leon Lowenstein, William Sachs, Benjamin Samuels, Dore Schary, Melvin H. Schlesinger, Jesse Steinhart, honorary vice-chairmen; Abe Goldstein, Harold Lachman, David A. Rose, vice-charmen; Benjamin Greenberg, treasurer; Herbert Levy, secretary; Benjamin R. Epstein, national director; Paul H. Sampliner, chairman, executive committee; Joseph Cohen, vice-chairman, executive committee; Label A. Katz, president, B'nai B'rith; Maurice Bisgyer, executive vice-president, B'nai B'rith; Bernard Nath, chairman of civil rights committee; Arnold Forster, general counsel and civil rights director.

Domestic report issues of Facts are edited by Milton Ellerin, director of the Fact Finding Dept. This issue prepared by Jerome H. Bakst. Reprint in whole or part is not authorized without permission.

maining klaverns of the U. S. Klans in the state.

Best available information indicates that, while the Klan situation in Alabama continues to be highly fluid, with frequent shifts of allegiance by various klaverns, Shelton's group is emerging as the dominant Klan. The U. S. Klans, until recently the strongest Klan group in the state, has suffered serious losses. These losses stem in part from the unpopularity of Rev. Alvin Horn, who succeeded Shelton as U. S. Klans leader in the state, in part from Shelton's own popularity, in part from the death of Eldon Edwards, and from disgust among Alabama Klansmen with the U. S. Klans in general.

Competent sources say it is possible that Shelton's Alabama Knights will soon affiliate with the National Knights of the Ku Klux Klan.

Estimated Klan Strength

It is obvious that reliable figures on the membership of the Klans, which are secret organizations per se, are hard to get. Estimates of Klan strength throughout the South are, at best, educated guesses.

The U. S. Klans, despite its losses in Alabama, probably remains the largest Klan. In 1958, its membership was estimated at anywhere from 12,000 to 15,000. Today, the best estimate puts the strength of the U. S. Klans at some 15,000 to 20,000—a rough gain in two years of about 3,000 to 5,000.

The strength of the newly-formed National Knights of the Ku Klux Klan is strictly a matter of conjecture. The total membership of the National Knights is probably comparable to, but somewhat below, that of the U. S. Klans—possibly 10,000 to 15,000.

A very liberal estimate of the unaffiliated Klans and klaverns throughout the South would put their strength at about 10,000 or 12,000.

In sum, total Southwide Klan membership is probably no more than 50,000, and may be about 35,000, or even somewhat less.

On net balance, the Klans have probably gained membership in the last year or so, and the formation of the National Knights early in 1960, with the resulting competition between that group and the U. S. Klans, will probably spur some further gains in the future.

It ought, however, to be emphasized that regardless of the trend of membership strength, the Klans were far more active during 1960 than they had been in years immediately preceding 1960.

Major Klan strength is centered in the states of Alabama, Florida, Georgia and South Carolina.

Three of these—Alabama, Florida and South Carolina—plus North Carolina, are battlegrounds in the fight for membership between the various Klans. In Alabama, the Shelton-led Alabama Knights appears to be the strongest Klan group. Should he eventually affiliate with the National Knights, it would be a major victory for the National Knights and might push their total membership past that of the U. S. Klans.

Another major area of competition is Florida, where the U. S. Klans and the National Knights appear to be evenly matched and to be making simultaneous gains.

In South Carolina, the Association of South Carolina Klans, headed by Robert Hodges and affiliated with the National Knights, seems to be stronger than the rival U. S. Knights.

In North Carolina, the U. S. Klans and the North Carolina Knights of the KKK, an affiliate of the National Knights, are competing for mere Klan remnants, and the hooded movement appears to be on the downgrade in the Tarheel State.

In Georgia, on the other hand, the U. S. Klans is overwhelmingly dominant and the few other Klan groups in the state pose no challenge to it. In Tennessee, the Dixie Klans, affiliated with the National Knights, is the strongest group and has absorbed some strength from the U. S. Knights.

The Klan is either entirely dormant or non-existent in Arkansas, Louisiana, Mississippi, Texas and Virginia.

The Klans And Anti-Semitism

The Klans have had a long history of anti-Jewish, as well as anti-Negro and anti-Catholic bigotry, and ever since May, 1954, when the U. S. Supreme Court outlawed segregation in public schools, the Klans increasingly have been channels for the distribution of anti-Semitic propaganda and forums for anti-Jewish speeches and diatribes. This is still true today.

The often anti-Jewish character of the U. S. Klans' paper, "The Rebel," has been noted. It ought also to be mentioned, in passing, that at a big U. S. Klans meeting in Atlanta last November 30, notorious non-Klan anti-Semites and extremists, whose names figured in the public prints at the time of the Atlanta Temple bombing of 1958, were present and handed out anti-Jewish literature. A Klan spokesman disavowed them, but they were not asked to leave.

As for the National Knights, seven of the eight splinter Klan leaders who formed that organization in Atlanta last February 27-28 were known as anti-Semites.

Of the major unaffiliated Klans, the anti-Semitism of Robert Shelton in Alabama has already been pointed out.

Finally, there is evidence of cooperation between the violently anti-Jewish National States Rights Party, now headquartered in Birmingham, and at least one Klan group. A recent and important N.S.R.P. meeting was held at the Chattanooga meeting hall of the Dixie Klans of Tennessee, which is affiliated with the National Knights. Jack Brown, a leader of the Dixie Klans, moreover, was a Presidential elector in Tennessee for the N.S.R.P. "national ticket" of Orval Faubus for President and John G. Crommelin for Vice-President. And in Florida, too, there have been indications of contact between N.S.R.P. leaders and pro-Klan elements.

What Can Be Expected

It takes no special powers of observation to state flatly that the American South is in a period of acute racial tension, and no special powers of prophecy to predict that such tension will increase. The process of school desegregation spreads, however slowly, and the Deep South is now the area of crisis. If New Orleans is the crucial scene today, Atlanta may be the tension spot tomorrow and another southern community the day after.

The continuing sit-in movement is another—and potent—factor pointing toward new tension situations.

As these movements—school desegragation and the sit-ins—penetrate new areas of the Deep South, where the "Klan mentality" is widespread, it would seem inevitable that they will be met by increasing resistance from foes of integration who are Klan members or Klan-minded extremists. The segregationist New Orleans housewives whose ugly antics were unforgettably recorded by the television news cameras wore no Klan regalia, but who would deny that their behavior epitomized a Klan mentality in all its hatred?

Legal strategems devised by the southern states may succeed in delaying the desegregation process, but in the long run seem doomed to ultimate failure. The same appears true of economic coercion aimed at the Negro, and as a matter of fact, recent developments suggest that the Negroes may be in as good a position to wield the weapon of economic boycott as is the white community of the South.

Finally, there is the weapon of physical force, intimidation and violence, which has been employed throughout the South by the Klans and other extremists for the last six years. Hundreds of bombings, beatings, cross-burnings and other threats have taken place since the Supreme Court decision of May 17, 1954.

The vast majority of white southerners, of course, reject such violence. But there are too many who are "Klan-minded" or who condone violence—who avert their eyes—although they would not themselves join the Klans or participate in lawless acts. It can be expected that this group will continue to look the other way or remain silent as the Klans and other extremists continue their dirty work, which seems inevitable.

Continuing Klan violence is inevitable, not only because the Klan leadership is "activist," but because by its own principles and its very nature, the Klan must use force, for if it is not coercive and violent, it is nothing and becomes merely a "hooded White Citizens Council." Veteran Klansman Bill Hendrix of Florida recently said that the only way the Klans could block integration was by "illegal means" like "bombings and burning schools." He said he was quitting the Klan movement because he didn't want to break the law.

That there will be new tension situations in the South is clear and that the Klan will seek to exploit them is almost a foregone conclusion. The Klan-tainted Jacksonville race riot of last August is an example of what can be expected in future crisis areas.

It has already been noted that anti-Semitic agitation by the Klans also seems likely to continue—and probably to increase, but whether Klan anti-Semitism will result in physical violence directed at Jews or Jewish properties remains to be seen. The potential for such action certainly is present.

Finally, it ought to be noted that the present Klans have not gained any appreciable measure of public acceptance or respectability in the South, and that they are not likely to achieve the mass followings they boasted in the 1920's and 1930's. They are still the targets of denunciation from responsible quarters and from reputable newspapers. But it may well be that in the 1960's public acceptance and respectability is not an essential ingredient for Klan growth, Klan activity or Klan violence.

APPENDIX

THE KU KLUX KLANS, STATE BY STATE

ALABAMA: Alabama Knights of the Ku Klux Klan, Inc., led by Robert Shelton, a former leader of the U. S. Klans in the state, is emerging as the dominant Klan.

U. S. Klans, Knights of the Ku Klux Klan, is now led by veteran Klansman Rev. Alvin H. Horn.

Minor Klans in Alabama are: Gulf Coast Klan, led by E. C. Barnard which has reportedly been absorbed by the Alabama Knights; Dixie Klans of Alabama, based in Anniston; and the Federated Knights of the KKK.

ARKANSAS: The Klans are reportedly dormant at present.

FLORIDA: The Grand Dragon of the U. S. Klans is Alvin Lemacks of Fernandina Beach, near Jacksonville.

The leader of the Florida Knights of the KKK, affiliated with the National Knights of the KKK, is Jason Kersey of New Smyrna Beach.

Minor Klans and Klan-type groups include the Association of Bedford Forrest Klans, the Southern Knights of the KKK and the Knights of the White Camellia.

GEORGIA: The U. S. Klans, Knights of the Ku Klux Klan, has its national headquarters in Atlanta and is clearly the dominant Klan in Georgia. It is now led by Robert Lee (Wild Bill) Davidson.

Minor Klans in Georgia are: Knights of the Ku Klux Klan, Inc., led by H. J. Jones, and the Association of Georgia Klans, based in Savannah, both of which are affiliated with the National Knights.

LOUISIANA and MISSISSIPPI: These states are White Citizens Councils territory and efforts to organize the Klans have never gotten off the ground.

NORTH CAROLINA: The U. S. Klans and the North Carolina Knights of the KKK are competing for the remnants of Klan membership in the state.

SOUTH CAROLINA: The dominant Klan is the Association of South Carolina Klans, headed by Robert Hodges, and affiliated with the National Knights of the KKK in which Hodges is also a leader.

Still a factor, despite substantial losses to the Hodges Klan group, is the U. S. Klans.

TENNESSEE: The dominant Klan in Tennessee apparently is the Dixie Klans, Knights of the Ku Klux Klan, based in Chattanooga and led by the Brown Brothers—Jack and Harry.

There has for some time been a unit of the U. S. Klans in the Chattanooga, Tennessee and Rossville, Georgia area (just across the state line from Chattanooga). There have been few reports of activity by this Klan in recent years.

TEXAS: Klan activity appears to be at a low ebb. Recent reports indicate that the Rev. R. E. Davis' Original Knights of the KKK has dwindled, and may be merely a "paper Klan."

VIRGINIA: Virginia has been practically free of Klan activity.

Defense Bulletin

DEMOCRACY'S DEFENSE THROUGH EDUCATION

National Education Association, 1201 Sixteenth Street, N.W., Washington 6, D.C.

Number 88 April 1961

THE JOHN BIRCH SOCIETY

Abraham Lincoln once warned against people amongst us who cannot preach democracy, cannot practice it, cannot defend it and, above all, cannot meet the greatest obligation of adult Americans: to pass on to young Americans a tradition of respect and love for our way of life.

A reactionary organization which has been given nationwide publicity recently, and which has been causing concern in communities and school systems in many sections of the United States is the John Birch Society. It is an organization whose avowed purpose is "to promote less government, more responsibility, and a better world," and to "stop the Communists."

The Defense Commission has catalogued the nationally aired pronouncements and activities of Robert Welch and the members of the Welch organized John Birch Society, since July 1960, when Chicago Daily News columnist Jack Mabley first exposed them to public scrutiny.

The Society was organized in December 1958 in Indianapolis, Ind., where its founder, Robert H. W. Welch, Jr., a retired candy manufacturer, devoted two days to outlining his proposal to a group of eleven persons, gathered at his invitation. The Society got its name from that of a young missionary who had been killed 10 days after V-J Day and whose biography Welch had written.

In The Blue Book of the John Birch Society, a transcription of Welch's two-day talks in Indianapolis now used as a guideline for the formation of new units, Welch states that the Society would function almost entirely through small local chapters, described in several recent news-

COMMITTEE PRINT

GUIDE TO SUBVERSIVE ORGANIZATIONS AND PUBLICATIONS

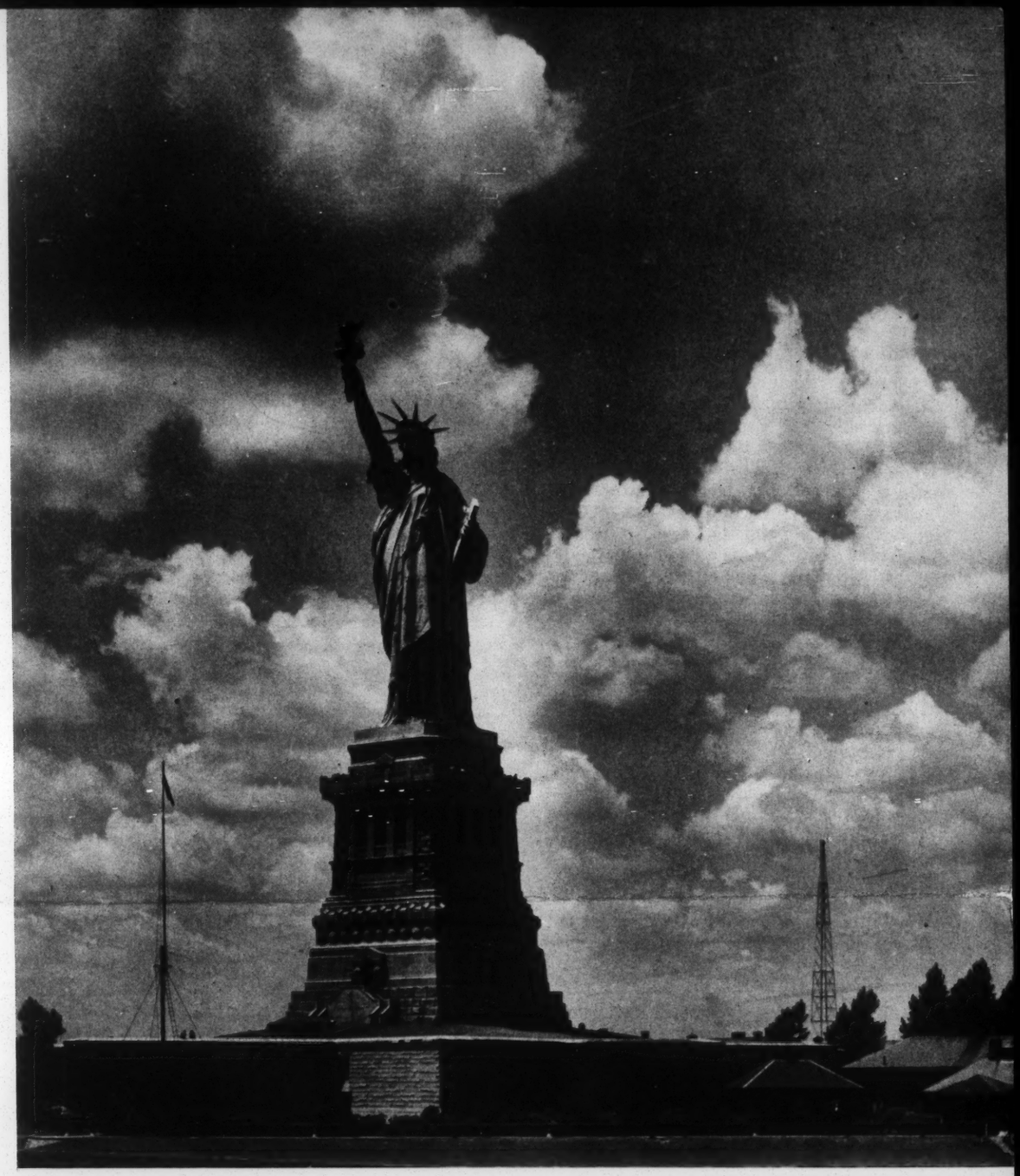
(AND APPENDIXES)

Revised and published December 1, 1961
to supersede Guide published on January 2, 1957

(INCLUDING INDEX)

Prepared and released by the
Committee on Un-American Activities, U.S. House of Representatives
Washington, D.C.

Radical Right



Report on the 'Rampageous Right'

By ALAN BARTH

GOP POLITICIANS RIDING THE WAVE OF REACTION

1/29/64

Ref Reg

National merger of right-wing groups is near

By Lawrence Emery

AMERICA'S ULTRAS are increasing their activities and there are growing signs that some Republican politicians will try to ride into office on the crest of the ferment they are stirring up.

The Rev. Dr. Billy James Hargis, evangelist director of the Christian Crusade, said on Jan. 14 at his Tulsa, Okla., headquarters that the formation of a nationwide league of right-wing organizations will be announced Feb. 2. He said that leaders of the new fraternity will meet regularly in Washington with conservative Congressmen, and that the chairman of the first meeting will be the Congressman who suggested the coalition. He did not identify him.

Hargis also announced that his Christian Crusade will sponsor a National Anti-Communist Leadership School in Tulsa from Jan. 29 to Feb. 2 with the John Birch Society and the National Indignation Convention as participants. Instructors at the 15 three-hour sessions will include Rep. Gordon R. Scherer (R-Ohio), a member of the House Committee on Un-American Activities, Eddie Rickenbacker, board chairman of Eastern Airlines, C. A. Willoughby, former chief of intelligence to Gen. MacArthur, and Mayor J. Bracken Lee of Salt Lake City. All the sessions will be televised locally.

THE SIGNING MAYORS: Dr. Fred C. Schwarz, Australian head of the Christian Anti-Communism Crusade, will conduct a five-day school from Jan. 29 through Feb. 2 at the Oakland Auditorium Theater. Fifty-five mayors of cities in the San Francisco Bay area have signed a proclamation designating Jan. 29-Feb. 2 as "Anti-Communism Week in our city to coincide with the dates of the San Francisco Bay region School of Anti-Communism." Mayor Christopher of San Francisco is one of the signers.

Former GOP Sen. William F. Knowland, now publisher of the Oakland **Tribune**, is on the "citizens committee" for the school. Instructors will include Sen. Thomas J. Dodd (D-Conn.) and Rep. Walter H. Judd (R-Minn.).

TSHOMBE COMING: Young Americans for Freedom, Inc., have announced a "giant conservative rally" at New York's

(Continued on Page 4)

Rightist merger

(Continued from Page 1)

Madison Square Garden on the evening of March 7. The youth group said that Moise Tshombe, leader of the Congo's secessionist province of Katanga, will be on hand to receive a special award.

Principal speakers will be Sens. Barry Goldwater (R-Ariz.) and John Tower (R-Tex.). Those receiving special awards will include Sen. Dodd, former general Edwin A. Walker, movie actor John Wayne, Herbert Hoover, Charles Edison, John Dos Passos and David Lawrence. Sponsor's seats at the rally are priced at $25, but that fee includes special mention in YAF's monthly publication, **The New Guard.**

Donald Shafto, the rally committee chairman, said: "We earnestly believe that a successful meeting will stimulate the conservative movement throughout the United States and indicate to the entire country that conservatism is on the march."

FANATICAN PARTY': On the political front, Democratic National Chairman John M. Bailey told a meeting of Democratic state chairmen and national committee members that the Democrats this year will have heavy going against a "curious union of Republicans and right-wing fanatics." He suggested this grouping should be named "the Fanatican Party."

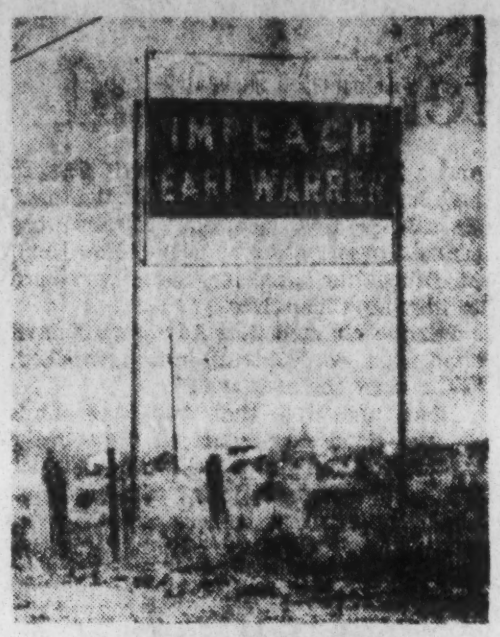
Bailey warned that only once in the last 60 years has the party in power gained Congressional seats in the middle of Presidential terms. He said: "The Republicans are more and more taking their ideas from the reckless radicals of the far right and echoing the efforts of these extremist agitators to breed fear and suspicion in our society." He called them "political witch doctors, retired martinets and neurotic victims of the neo-fascist lecture circuit."

NIXON'S ROLE: In California Rep. John Rousselot, an acknowledged member of the Birch Society, has announced that he will not run against Sen. Thomas H. Kuchel, who is considered a moderate Republican. He said he made his decision after conferring with Richard Nixon, Goldwater and Robert J. W. Welch, Birch Society leader. But Kuchel will still be opposed by Howard Jarvis, a conservative Los Angeles businessman, and Loyd Wright, former president of the American Bar Association and prominent in ultra activities in Los Angeles.

Gov. Edmund G. Brown of California said in a speech at the National Press Club in Washington that Nixon "is not joining the fight against the ultra-right wing, although these extremists are a strong force in our state and in his party."

He noted that Birchers have already captured the Los Angeles Young Republican Club "while Nixon and other Republican leaders look away . . . He has stepped away from those who are fighting the political primitives, and he apparently wants their money and support."

GOP DEBATE: Sen. Clifford P. Case (N.J.), a moderate Republican, told the 49th annual session of the Anti-Defamation League of B'nai B'rith that the two-party system faces a serious threat if Republicans should be "intimidated or seduced" by the ultras. He said the Republican Party "is a tempting target" to many ultra groups, and that "there are a few Republicans who may be tempted." Such a development, he warned, "would threaten the usefulness, if not the very existence, of the Republican Party as an effective member of the two-party system."



A SIGN OF THE TIMES?
Turn to the right indicated

But other Republicans were taking a different tack. At a two-day session of the Republican National Committee in Oklahoma City, Goldwater, who is also chairman of the Republican Senate Campaign Committee, urged his colleagues to make the GOP "a political instrument clearly recognizable as something apart and different from that collection of promises and panaceas which parades across the scene behind the Democratic donkey."

Goldwater said the GOP must be dedicated to "a political philosophy so easily understood, so crystal-clear in all its manifestations as to permit the American people to recognize us for what we truly are."

SENATE HEARINGS: At a meeting of 500 conservatives under the auspices of **Human Events,** a right-wing newsletter in Washington, Rep. William E. Miller (N.Y.), chairman of the Republican National Committee, attacked aid to education as leading to Federal control of the public schools and said medical care for the aged through Social Security means the "socialization" of the medical profession. Other speakers at the two-day session included Sen. Tower and commentator Fulton Lewis Jr. who praised the John Birch Society.

The Republicans need to win 44 seats in the November elections to gain control of the House of Representatives.

The role of the military in ultra politics came into the news again as a special Senate Subcommittee opened hearings on Jan. 23 on charges that the Pentagon had "muzzled" the brass by censoring their public speeches and establishing new regulations governing their participation in seminars and other forums to "educate" the general public on the red menace. The subcommittee will also study troop indoctrination programs.

OPEN, EXCEPT . . .: The hearings will be conducted by Sen. John Stennis (D-Miss.). The special panel was set up at the instigation of Sens. Strom Thurmond (D-S.C.) and Goldwater following the right-wing uproar over the removal of Major Gen. Edwin E. Walker from his command in Germany and his eventual resignation last November. Stennis promised open hearings "except in those instances where the nation's security dictates that the hearings be closed."

Lawyer for the subcommittee is James Kendall, 43, a former assistant attorney general of Mississippi and the man who rewrote that state's school laws to get around the Supreme Court's desegregation decision.

Ex-general Walker himself was speaking around the country. At a rally of 3,500 in Jackson, Miss., he said that state is leading the fight to preserve the union. He told his audience that, as Mississippians, "the communists are afraid of you. They distrust you and the power of your state sovereignty and your great unity of purpose. They are aware of your leadership and of you as a great symbol in the cause of freedom everywhere."

THE 'RED SWEDE': Walker cited Vice President Lyndon Johnson and Sen. J. William Fulbright as examples of left-wing success in converting American politicians. He also told the rally that the UN is immoral and that the late Dag Hammarskjold was a "Red Swede who took instructions from Moscow."

The latter remark lost him the support of the New York **Journal-American,** a Hearst paper, which commented editorially that he had "decreased his own stature." Citing the remark about Hammarskjold, the paper said: "This will come as a surprise to Khrushchev who considered Mr. Hammarskjold a singularly effective enemy of communism and did his utmost to destroy him. Gen. Walker's use of the distortion technique of extremism does him no good."

Robert Welch, speaking to an audience of more than 1,000 at a luncheon of the Commonwealth Club of California in San Francisco, said there is a drive in many countries to discredit the military. Asked why so many ranking officers are attracted to right-wing causes, he said the answer is easy: "They are our most patriotic citizens."

Welch also described the close working relationships between his Birch Society and the Schwarz Crusade:

"Dr. Schwarz is doing a grand job of waking up people to the communist menace. As he himself has said, he does not have a continuing organization of the action type. Many of our members help to set up Dr. Schwarz's schools along with others and we frankly do our best to take the people who have been stirred up and awakened and alarmed by him to get them together into the John Birch Society as action groups to do something about it all."

CHICAGO FIELD DAY: An example of ultra influence was given at the recent five-day annual convention of the American Farm Bureau Federation in Chicago. The country's largest farm organization took these stands:

- Regretted the censure of Gen. Walker "for encouraging and conducting pro-American education."
- Advocated "a program of education for the armed services regarding the dangers of communism and socialism."
- Warned "against the infiltration of our schools by communist propaganda."
- Backed the House Committee on Un-American Activities and the Senate Internal Security subcommittee because they have "drawn attention to subversive activities and the infiltration of our government and public institutions by persons with communist sympathies."
- Warned that "the trend toward increased centralization of power in the Federal government has led us far into socialism, which is the stepping stone to communism."
- Opposed Federal aid to education.
- Advocated publication of welfare rolls.
- Opposed medical care for the aged through Social Security.
- Advocated the right of children to start work at 12.
- Opposed any minimum wage and hour law for farm workers.
- Urged unrestricted use of Mexican farm labor.
- Advocated state and national right-to-work laws to outlaw "compulsory unionism."

Report L-38
November 1, 1962

Southern Regional Council
5 Forsyth Street, N.W.
Atlanta 3, Georgia

WHAT PRICE VIOLENCE?

While it is still too early to determine the long-range effects of the recent riots on Mississippi's economy, there seems little doubt that they will be profound, prolonged, and painful.

The heavy price Mississippi can be expected to pay for the violence at Oxford has been the subject of several recent newspaper and magazine articles. These excerpts are taken from a selection of those articles.

* * * * *

Wall Street Journal, September 26:

> "Many Mississippi businessmen are privately expressing concern that mounting racial strife may depress the state's economy.
>
> "In Jackson . . . state officials responsible for attracting new industry are privately apprehensive about whether this growth can continue if the racial conflict takes a violent turn. Although most are understandably reluctant to discuss their views, it is apparent they feel the university crisis is upsetting their plans.
>
> "A number of businessmen in Mississippi agree, as does a leading plant location specialist outside the state.
>
> "'In the past 15 years, we've put about 60 plants into Mississippi - that's roughly four a year. But in the last few years, the rate has been more like one or two a year.' To this specialist, the racial tension clearly is responsible for keeping the plants away."

Atlanta Constitution Business Editor Jim Montgomery in a column which appeared October 3:

> "Mississippi's bitterly violent defiance of law and order has failed in all respects save one.
>
> "It has succeeded only in committing economic suicide.

"It has in a single night of terror undone years of costly effort to lure new industry within its borders. It has, in effect, warned industry to stay away.

"Mississippi will no doubt continue to offer cheap labor, huge tax concessions and other give-aways . . . .

"But for most of the nation's industries, no amount of monetary inducement could offset the risk of moving into a state whose chief executive not only says but also shows that he cannot or will not preserve the peace.

"And even those major corporations who might otherwise be tempted to accept Mississippi's desperately proffered gifts would founder on personnel resistance, for it is inconceivable that the executives needed to run a new plant would agree to moving their families into a state whose law enforcement officers stand idly by as mobs riot."

Staff writer Rick Tuttle, who was on the scene at Oxford, in the Miami Herald, October 7:

"The State of Mississippi, her people and her future have been deeply wounded by the explosion here.

"It will be decades before the wounds heal.

"This is the grim outlook of moderates in Mississippi - the business and professional leaders who did not speak out against Gov. Ross Barnett until it was too late - until blood ran in the streets of this quiet university town.

"Now they are uniting and trying to put out the flames of hatred which they feel Barnett will continue to fan.

"But all agree the damage has been done. The words 'Oxford' and 'Mississippi' and 'James Meredith' for years will bring to mind death and hatred and racial prejudice.

"There are many ways Mississippi has been hurt by the explosion of violence, but the most severe is probably economic. Barnett has done a good job of attracting industry to Mississippi . . . . But Arkansas and Little Rock experienced a new-industry drought for years after federal troops protected Negro students there.

"'Only recently has industry started going back into Little Rock and the racial trouble has been blamed,' a Herald source said. 'And what happened at Little Rock was child's play compared with this.'

"Without industry Mississippi cannot pull itself out of the poverty and low educational stand-

ards that so often accompany agrarian economies. Now the outlook for industry is even blacker.

"Another serious injury to the state - very close behind the economic one - is to the University of Mississippi itself. It may retain its accreditation, but it will probably lose some of its high caliber professors and certainly stands a slim chance of getting any new ones.

"Academic freedom at Ole Miss has already been choked by the Mississippi Legislature, according to professors, and even a crisis as grave as the Meredith case did not bring a protest from the faculty.

"One can only guess what lies ahead for Mississippi now. But those who are willing to guess see a bleak future in which the moderate voice in the state faces years of struggle just to prevent violence, much less swing the elective leadership away from extremists."

In Business Week, October 6, an article titled "The Price of Defiance," with the sub-heading, "Mississippi's battle with the federal government over Negro college student seems to be simmering down, but the state may be paying an economic toll for years to come":

"James Meredith, Negro, was enrolled in the University of Mississippi and was attending class. The turmoil was not over. Ripples were spreading from Oxford - and rolling around the world.

"But thoughtful citizens were trying to read the future - and to many in business it seemed that Mississippi might be paying a price for years to come.

"For one thing, Arkansas' experience following the 1957 troubles in Little Rock indicates that industry may be reluctant to move to Mississippi.

"Mississippi is a poorer state to begin with - its per capita income was $1,229 last year, the nation's lowest - and its racial problem is more deepseated than that of most Southern states. It has the highest percentage of Negro residents - 45% - of any state. And, as the National Urban League, a 52-year-old interracial organization dedicated to Negro economic progress, points out, Mississippi is the only state in which it has never had any affiliates or activities.

"The Magnolia State enjoyed its biggest rush of new industry under BAWI /balance agriculture with industry/ last year, with 83 new plants and 68 expan-

sions of existing facilities announced. Most of these are small, but the total adds up to a considerable number of new jobs. The list includes: General Cable Corp., 400 employees; General Tire & Rubber Co., 60; Magnavox Co., 125; Normandie Mills, 380; Southbridge Plastics, 400.

"Two big plums were announced in 1961. The first is the Standard Oil of Kentucky refinery at Pascagoula, which will employ 700 and represents an investment of $125-million. Gov. Ross Barnett pointed out at the time of the announcement that total new plant investment for Mississippi for the three previous years came to only $113-million. Construction of the refinery is well under way.

"A second major plum for Mississippi is the 13,300-acre missile testing range in Hancock County also on the Gulf. Early estimates projected a $300-million-to-$400-million investment in Hancock.

"Only time will tell, of course, how seriously the pace of private and federal investment in Mississippi will be affected by the Oxford affair. But an indirect threat to the state's economy became apparent early this week when the Southern College Accreditation Board warned Gov. Barnett that unless he changes his tactics accreditation of 'Ole Miss' and other state colleges might be withdrawn. Such a move would be likely to discourage industrialists from moving their families to the state.

"Loss of accreditation would also mean withdrawal of federal and private grants for scholarships and research. The Health, Education & Welfare Dept. has already moved to withhold money until the 'situation is clarified.'"

Editorial in the Knoxville News-Sentinel October 6:

"Mississippi's drive to lure new industry - an effort which has met with some success up to now - is endangered by the riots at Ole Miss. Out-of-state businessmen have been reluctant to move into a state deeply troubled by racial strife.

"Take Little Rock, Ark., for example. In the two years before the riots at Little Rock's Central High School, 17 new plants moved into the city; they employed 1200 persons. But in four years since the troubles only 13 new plants have sprung up in the city. They employ less than 1000.

"If nothing else, practical business reasons alone should stir Mississippi leaders to restore and maintain order as rapidly as possible. The state lags behind its neighbors economically and further sociological upsets will make it harder for Mississippi to catch up."

Newsweek, October 22, in the Business and Finance Section:

"For 26 years, Mississippi has been luring industries into the state in an effort to boost its underdeveloped economy. But immediately after the recent riots at the University of Mississippi one state industrial salesman heard from eight Northern industrialists who had been considering moving in - and four of them said they were bowing out. The reason given by a Midwest furniture manufacturer: 'It looks like you people are being led by the wrong element.'

"In two terse words, William B. Selah Jr., director of the Southwest Mississippi Area Development Commission, expressed the reaction of a good many of the state's businessmen: 'Violence hurts.' A Jackson banker predicted gloomily: 'I don't think we're going to have much industry running our way for a while.' And a national manufacturer of hard goods told its Mississippi plant in bitter jest: 'From now on, put "Made in North Carolina" on our products.'

"Some of the state's recruiters reported business as usual; Barnett himself, in several speeches last week, read a number of pre-crisis testimonials he had received from industrialists. But most officials were apprehensive. One said: 'We don't need to be reminded of what happened in Little Rock.'

"The parallel was ominous. When Little Rock's school-integration crisis erupted in September 1957, the city and state were thriving. In the previous two years, industrial investment in the state totaled $248 million; Little Rock alone gained ten new plants, worth $3.4 million and adding 1,072 jobs to the city's payroll. In the two years after Federal troops marched into Little Rock, the state's investment fell to $190.6 million; for three years, not a single company employing more than fifteen people moved into the Little Rock area. Last year, with memories of the turbulence fading, one new plant was built for $1.6 million; this year another firm plans a $780,000 plant.

"Racial strife in Arkansas 'did have an effect,' Winthrop Rockefeller, leading financier and chairman of the Industrial Development Commission, said last week, 'but it would be extraordinarily difficult to put a price tag on it.'

"And, as Little Rock's case amply illustrates, the effects of racial strife can last a long time."

The New York Times, October 21:

"Mississippi, which has striven desperately since 1936 to reinforce its traditional cotton economy with a solid layer of industrial jobs, now faces an

uncertain future because of the tragic violence over desegregation at the University of Mississippi.

"The situation has already caused the Mississippi Agricultural and Industrial Board, the state's official industrial development agency, to cancel its Oct. 25 dinner in Chicago, where Gov. Ross Barnett was scheduled to play host to more than 200 Midwest industrialists.

"No public announcement has been made by the board, but an industrialist who was to have participated in the industrial junket said:

'We can't send Barnett out of the state at this time.'

"Governor Barnett had put himself in the forefront as the state's industrial salesman by making daily telephone calls to Northern industrialists and also visiting them at their home offices.

"Now it it felt he has become a symbol of racial violence at the univeristy because of his defiance of the Federal courts.

"When the case became a top national and international story, Governor Barnett received publicity that could hardly help the state's case for persuading the nation's business and industry leaders to build plants in Mississippi.

"One leader of that organization [Northeast Mississippi Industrial Development Council] said: 'I think the Ole Miss incident is going to affect us. Wherever you have violence, it's bound to hurt.'

"A south Mississippi regional industrial leader said he was 'very concerned and very upset over what it is going to do to us.' Even before the rioting, he said, 'several manufacturers had stopped putting "made in Mississippi" labels on their products,' which are marketed nationally.

"Some reaction has shown up in the channels of investment capital that Eastern and Northern financial houses make available to Mississippi bankers, but one Mississippi banker said 'it isn't anything serious at this point.'

"But he noted: 'I don't think we're going to have much industry running our way for a while. In fact, it could hurt us for a long while.'"

Rel. Rights John Birch The Federationist June, 1963

Federation Expose Blocks Birch Propagand

Support Your
Community Chest
The United Way

Los Angeles Citizen

OFFICIAL PUBLICATION OF THE LOS ANGELES COUNTY FEDERATION OF LABOR, AFL-CIO

Los Angeles, California, Friday, Dec. 7, 1962

$3.50 Year Months, 1

Coast Federa Propaganda Flow Blocked

Organized Labor's exposure of the righ extremist activities of Coast Federal Savings and Association President Joe Crail has caused with of responsible civic leaders from his hand-con committees and ended the flow of his propagan the public schools.

The truth about Crail's

by Max Mont

Organized labor's initiative in Los Angeles has demonstrated that ultra-right attempts to invade the schools can be beaten back—by marshalling the facts, alerting community leaders and informing the public.

In southern California ultra-right crackpots and more respectable reactionaries find a common meeting ground in their unending campaigns of pressure on the school system. They make common cause in their efforts to transform the Bill of Rights into a museum piece—ritually venerated on holiday occasions but very dead in practice.

Among the more substantial groups striving to substitute indoctrination for education and retrogressive mass propaganda for public information are the Coast Federal Savings and Loan Association (third largest business of its kind in the nation) and its two adjuncts, the Bill of Rights Commemoration Committee and the Free Enterprise Department.

Not that Coast Federal stands alone. Far from it. Los Angeles seems to be the capital of authoritarian extremism.

This area hosts the national headquarters of rabble-rouser Gerald L. K. Smith and Dr. Fred Schwarz of the Christian Anti-Communism Crusade; sports three ex-congressmen who were apologists for the John Birch Society while in office, one of whom is now on the Birch paid staff; boasts the headquarters of the President of the California Young Republicans, who openly sought Birch support for his election, serves as the fountainhead of what the immediate past President of the California Republican Assembly called a Birch "conspiracy to capture control" of the Republican Party; and prolongs the uproar over the baseless charges of an "imbalance to the left" on state college faculties.

"Thank you for your nice publicity about Coast Federal in your Los Angeles Citizen," said a spokesman for the loan association when the projected public exposure of its authoritarian extremism was announced by the County Federation of Labor's weekly paper.

The words were in the arrogant tone adopted by Coast Federal President Joe Crail and his staff as the house style for dealing with criticism and opposition.

The statement was uttered, however, before the series of events which culminated in repudiation of Crail's activities by the prominent civic leaders who had served unwittingly as his figureheads. And before the exclusion of his material from the schools which had served for so long as a transmission belt for his propaganda.

Crail's confidence was bred of the power commanded by the lavish use of money—over $250,000 spent by Coast Federal annually for staff, materials and mass media to promote his personal views and programs. It seemed justified by years of acquiescence on the part of many community leaders, government authorities and school officials.

The first major challenge to Crail's influence resulted from the study of his operations issued as a pamphlet by the Los Angeles County Federation of Labor. It was a part of "a systematic program of examining and exposing to public scrutiny the activities of authoritarian extremist groups."

In introducing the pamphlet, W. J. Bassett, Secretary-Treasurer of the Federation, declared: "Of particular concern are the increasing number of businessmen who have lately come to believe that they can safely indulge their far-out political fancies under a newly discovered foolproof disguise—an ostensible fight against the communist danger as a cloak for espousing an equally evil and perilous ultra-right reaction."

The pamphlet described a questionnaire circulated by Coast Federal's "Free Enterprise Department" under the title "Knowledge Is Freedom—Rate Your Americanism I.Q." Its 133 questions apparently reflected a cross-section of the ideas and attitudes of Crail and his staff.

For example, the questionnaire directed those an-

MAX MONT, member of Theatrical and Stage Employes' Local 818, is Chairman of the Committee on Extremist Groups of the Los Angeles County Federation of Labor.

swering to "Score 2 points for each 'approve' answer . . ." on such items as "Right To Work Law" (question 32), "John Birch Society" (question 45). Similarly, scores could be improved by checking the "disapprove" space beside the following:

Minimum wage laws; extension of Social Security; nationalized medicine; subsidies to farmers; Tennessee Valley Authority; federal aid to education; long-range foreign aid; the International Labor Organization; the Human Rights Convention; the United Nations; Radio Free Europe; Voice of America; The Peace Corps; League of Women Voters.

Thus, too, one's "Americanism" rating went down if the following statements were perchance marked as truths rather than "myths" on the questionnaire:

—"Human rights are above property rights."

—"By assisting backward nations, the U.S. Government will teach them the ideals of freedom."

—"Society benefits from minimum wage laws as the standard of living is increased."

—"The Government must provide medical care for the aged for they are unable to provide for themselves."

A score of over 110 on the questionnaire "rating scale" was adjudged "libertarian" by Coast Federal standards. Below that score the classifications were:

"Varying degrees of Republicans and Independent Democrats 51-109
"New Frontiersman 30- 50
"Are you sure you wouldn't prefer England or points farther East? . . . . . Under 30"

Ironically, it was the so-called "Bill of Rights Commemoration Committee," chaired by Joe Crail, functioning under tight control of one of his staff members and housed in Coast Federal's building, that produced the most pernicious propaganda. Most of the prominent public figures whose names appeared over the years on the "Executive Committee" of this group apparently had little to do with preparing the material it published and were largely unaware of its activities.

Among them were the Mayor of Los Angeles, the Chairman of the County Board of Supervisors, the President of the University of California, the superintendents of city and county school systems and leaders of business, church and civic groups, both liberal and conservative.

The Commemoration Committee sponsored an essay contest on the Bill of Rights among high school students in the county school system. Prize money was furnished by Coast Federal—to the tune of thousands of dollars over the years.

Some of the prize-winning essays were then reproduced in an elaborate booklet published annually under the imprint of the Commemoration Committee with the designation "Program and Speakers Manual" or "Digest."

As the contest winners were chosen by a committee established by the school system, the student essays were of a consistently higher quality than other material by "experts" reprinted in the Manuals.

Some of the statements, articles and speeches circulated in the name of the Commemoration Committee over the years were balanced, sound and thoughtful. But viewed as a whole, the material was distinctly slanted—and sometimes made a mockery of the Bill of Rights itself. Frequently this resulted from a subtle shading of tone, a particular emphasis in theme, a choice of writers. Just as often, however, the material was blatantly biased, vulgarly anti-democratic and politically partisan.

Thus the Speaker's Manuals (or Digests) placed heavy stress on alleged usurpation of states' rights by the federal government and courts to the purported detriment of the people; the imminence of total loss of freedoms, particularly property rights; the evil of social welfare and social security programs; the alleged undermining of freedom by programs of federal aid for solving social and economic problems. No counter-balancing view was presented.

Within the recurrent theme of the evils of federal government action, a constant refrain was encroachment by the federal judiciary. The 1955 Manual quoted from a speech by Congressman Howard W. Smith of Virginia:

"We have reached a point of centralized government that has swallowed up the reserve states' rights. We have transferred the administration of justice away from home into the strange and faraway hands of the federal courts."

One of the strong motivations for the attacks on the U.S. Supreme Court was opposition to its decisions against racial discrimination and segregation. This was made clear by the following words of Spruille Braden in a three-page reprint of his speech in the 1960 Speakers Digest:

"Abuses and distorted interpretations of the Bill of Rights have been fortified in recent years by the Supreme Court's and other judicial findings or decrees usurping legislative powers, making policy and, in effect, amending the Bill of Rights and Constitution . . .

"But what deference for the first 10 amendments can we expect from a Supreme Court which based a most important decision, not on the Constitution or Bill of Rights, on law or precedent, but on philosophical speculations in a book by Gunnar Myrdal . . ."

In most instances where federal "encroachment" was attacked in the Manual, what was really involved was the issue of the federal protection of human rights against infringement by state or local authorities. So the Manuals are slanted against not only equal rights action but also against safeguards of the right of collective bargaining.

For example, the concluding paragraph of an article in the 1961 Manual by the Honorable M. T. Phelps (former Arizona judge) reads:

"Even the jurisdiction of courts of sovereign states

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in labor disputes, where it is alleged (whether true or not) that the Fair Labor Practice Act has been violated, has been denied until consent of the National Labor Relations Board has been procured. This is true even though the NLRB had previously rejected jurisdiction of the dispute."

Disparagement of the democratic process was combined with hostility towards federal programs of social concern and the "welfare state."

In this vein, President Franklin D. Roosevelt was assailed in an article by Felix Morley in the 1959 Manual:

". . . there is little doubt that in this way we have been chiseling at freedom for a long time . . . President Roosevelt's 'four freedoms' statement, made nearly a year before Pearl Harbor, is a case in point . . .

". . . This is emphasized by a glance at the other pair of freedoms—'from want' and 'from fear'—which Mr. Roosevelt said it is the duty of government to provide. These have actually no relation to freedom, properly defined and understood . . .

". . . One could wish that the 'four freedoms' speech had been a mere oratorical gesture, with no continuing significance for the problems of today. Unfortunately, it was the basis of the whole so-called 'Economic Bill of Rights' and therefore the fountainhead from which the current flood of welfare spending continues to pour forth . . ."

Even as the Manuals assailed programs of social concern in general, so did they also attack specific measures—with never a word of reply.

Thus in a page-and-a-half of excerpts in the 1960 Manual, Senator Barry Goldwater was quoted as saying:

". . . You and I must decide whether we intend to continue down the road of federal aid and federal subsidies. Last year the federal Congress passed the so-called 'Defense Education Act.' This year they are being urged to pass a federal subsidy for the construction of schools. We have federal aid for highways. These programs always start small and end big . . .

". . . If we continue down this road, we will become a people who will be leaning on Uncle Sam . . ."

The Manuals, together with other materials, were over the years widely distributed to teachers and students, PTA leaders, civic groups and the general public.

When the County Federation of Labor's pamphlet on Coast Federal began to circulate, intense interest was generated—within the Bill of Rights Commemoration Committee itself no less than among other civic leaders and school-centered groups.

Further evidence, gathered independently of the Federation, was made available. Additional information was submitted to the school system administrators from various sources. Protests were made to the City and County Boards of Education and public hearings were proposed.

A closed meeting of the Bill of Rights Commemoration Committee was called by the Chairman of the County Board of Supervisors. Members present discussed the establishment of objective standards for materials issued in the Committee's name and the possible formation of a screening committee.

In the meantime, the New York Times' western edition carried a lengthy story on the expose by the Federation and quoted Joe Crail as replying:

"They're unwitting dupes of the Communists. They are just carrying out the Communist line. They're pretty ignorant about what's going on. They'll learn."

In the ensuing weeks, newspapers reported several public resignations from the Bill of Rights Commemoration Committee, including that of the Mayor and the Chairman of the County Board of Supervisors. Others resigned without public fanfare.

What had happened to the Committee was made glaringly evident when the new Manual was issued in December of 1962. For the first time the list of Committee members was entirely omitted, except for the name of Chairman Joe Crail.

An offshoot of the Committee, a separate committee with the sole function of conducting an annual observance at the City Council, requested permission in January 1963 to once again conduct its ceremonies. Crail's name was nowhere mentioned in connection with the request. There was a minor flurry of excitement as Councilmen endeavored to learn whether the group was part of Crail's operation.

The observance was subsequently held, but without Crail. Even so, several of the Councilmen protested.

During the same period the County school system quietly dropped the essay contest which had been backed by Coast Federal contributions and the city schools ceased using his material.

Since then Crail has abandoned all pretense that his Free Enterprise Department and his controlled Bill of Rights Commemoration Committee were separate entities. Interested persons are provided materials from both at the same office in the Coast Federal Building.

Despite these setbacks for Crail, it cannot be said that the last battle has yet been fought. He will undoubtedly try a new offensive to regain access to the schools, restore his community position and redeem his prestige.

Perhaps the answer lies in part in another direction. Citing Coast Federal as a case in point, the California Assembly Subcommittee on Tax Administration declared last November:

"We believe that the public should not be required to subsidize, through tax deductibility, the propagation of political opinions of corporate executives."

The subcommittee recommended specific revision of state tax laws. Federal tax reform along similar lines would appear to be an imperative need.

But in any event, labor has shown that by exposing authoritarian extremist groups to public scrutiny, they can be driven into retreat.

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the ADL bulletin
PUBLISHED BY THE ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH
JANUARY, 1963

ANNOUNCING—
The 1963 Appeal
(Page 4)

FAREWELL TO AN OLD FRIEND

Henry Edward Schultz

ADL's national chairman tells why the Joint Defense Appeal died.

By Henry Edward Schultz

On December 31, 1962, the Joint Defense Appeal, a vigorous and useful organism on the American Jewish scene, went out of existence. In its twenty-one years of life, the Joint Defense Appeal raised many millions of dollars which it divided equally between the American Jewish Committee and the Anti-Defamation League. At the time of its demise, it was raising over five million dollars annually.

The saving of fund-raising expense and the avoidance of multiple appeals were not all of the benefits derived from the Joint Defense Appeal. It attracted to its banner many devoted citizens anxious to enlist in the fight against anti-Semitism and discrimination, and who were not partisans of either of the two agencies which were beneficiaries of the funds raised.

In 1963 both the American Jewish Committee and the Anti-Defamation League will be conducting independent campaigns accompanied by all of the competitive zeal which is an inevitable by-product of the dissolution. In the years of its growth to maturity, the Joint Defense Appeal had truly developed into a heavyweight in the fund-raising field—a strong and vital instrumentality. We deplore its passing and are saddened by it.

Through the decades in which the Joint Defense Appeal contract and arrangement remained in effect, and in the many negotiations which led to its renewal over the years, many differences of opinion between the beneficiary agencies arose. All were resolved by amicable adjustment, until 1962, when the protracted negotiations finally reached a stalemate and dissolution became inevitable. While the details of the negotiations were complicated, the issues upon which agreement failed were really quite simple.

The American Jewish Committee, within its own councils, had come to the conclusion that it should no longer concentrate its major efforts and resources in the field of domestic community relations, but instead should expand into the problems of Jewish communities throughout the world. An expanded international operation required funds which the Joint Defense Appeal could not, in the foreseeable future, adequately provide. Accordingly, the representatives of the American Jewish Committee insisted, as a prerequisite in the negotiations, upon the unfettered right to raise unlimited funds for its overseas and domestic programs other than its human relations activities, while continuing to be the recipient of 50 per cent of the Joint Defense Appeal funds. The restrictions upon Anti-Defamation League raising funds outside of the Joint Defense Appeal were, however, to continue without change.

It quickly became obvious that to permit the American Jewish Committee to raise large sums by a direct appeal to individuals and communities, in competition with the Joint Defense Appeal, would be completely destructive and would inevitably stultify and extinguish the Joint Defense Appeal. It was equally apparent that the leadership of the American Jewish Committee, confronted with the task of raising large sums outside of the Joint Defense Appeal, would be less able to contribute their efforts and talents to the growth and continued progress of the Joint Defense Appeal. These factors combined to make the proposals untenable in the light of the history and tradition, and the years of building, which had been expended on behalf of the Joint Defense Appeal.

In support of their position, the skilled negotiators for the American Jewish Committee brought to the bargaining table an adroit proposal—ingenious and plausible—which, however, turned out to be the rock upon which the continued relationship foundered. The new principle advanced was brilliant in its simplicity and attractively presented. In its new posture and reorganization, the American Jewish Committee would now consist of three divisions, only one of which—an "Institute of Human Relations"—would be concerned with domestic community relations problems. The other two facets of the program, a new giant overseas opera-

Mr. Schultz, national chairman of ADL, headed its JDA negotiations committee.

the ADL bulletin
PUBLISHED BY THE ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH

FEBRUARY, 1963

50th Annual Meeting Issue

HERE WE HAVE PLANTED FREEDOM

By JOHN F. KENNEDY

I AM honored to receive this award from an organization which, on its fiftieth anniversary, should, itself, be receiving an honor for distinguished contribution to the enrichment of America's democratic legacy. Your tireless pursuit of equality of treatment for all Americans has made a lasting and substantial contribution to our democracy.

The men who first shaped the democratic legacy that you honor tonight were filled with a sense of commitment and of wonder at the importance of the events in which they were participating. It was not only, as John Adams exalted, that they were to have the unique opportunity to write a new Constitution and form a new government and begin a new nation; it was also the deep conviction, as later expressed by Walt Whitman, that here we have planted the standard of freedom, and here we will test the capacities of men for self-government.

America was to be the great experiment, a testing ground for political liberty, a model for democratic government, and although the first task was to mold a nation on these principles here on this continent, we would also lead the fight against its tyranny on all continents. In short, wrote Jefferson to Adams, "The flames kindled on the 4th of July 1776 have spread over too much of the globe to be extinguished by the feeble energies of despotism." Although Jefferson also foresaw that to attain liberty in other parts of the globe, years of desolation must pass over.

ALMOST two centuries have passed since a small, weak nation, a beachhead on a continent, began the great experiment of democracy in a world where government by consent of the governed had been extinguished for two thousand years. As Jefferson prophesied, there have been many years of desolation and destruction. It seems to me that it is our responsibility in this year of change and hope to prove that we are equal to this great inheritance, to make it possible for the four freedoms which Franklin Roosevelt so eloquently described in another time of peril and danger twenty years ago—to make sure that those four freedoms, indeed the great concept of indivisible freedom, are made available to all of our people, to all of our citizens, and to bear our part of the burden, as we have for so many years, in making that great concept available to all people.

THIS is a great inheritance. It is a proud privilege to be a citizen of the great republic, to hear its songs sung, to realize that we are the descendants of forty million people who left other countries, other familiar scenes, to come here to the United States to build a new life, to make a new opportunity for themselves and their children.

I think it is not a burden, but a privilege to have the chance in 1963 to share that great concept which was felt so deeply among all of our people then, to make this really, as it was for them, a new world, a new world for us, and, indeed, for all those who look to us.

That is what this organization has stood for for fifty years. That is what this country has stood for for two hundred years, and that is what this country will continue to stand for.

On January 31, 1963, President Kennedy was presented with ADL's America's Democratic Legacy Award in Washington, D. C. This is his speech of acceptance.

p 3 – Sat Sabat & U.C.

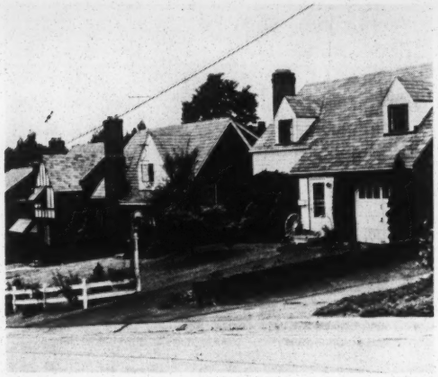
the ADL bulletin

PUBLISHED BY THE ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH

MARCH, 1963

New Refugee Plight
(Page 4)

Old Tragedy
(Page 6)



THE NEW SEGREGATION

Americans are ghettoizing themselves by economic and social class, warns this distinguished business leader. But if we are to understand each other, we must come closer together.

By Ralph Lazarus

We are now building a new kind of society. For the first time since tillage of the soil made the existence of towns and then cities possible six to eight thousand years ago, man has reversed his migration and moved en masse out from the center into the country.

Unlike the cities, which were built primarily for the more efficient conduct of business, the suburbs are being built to satisfy mainly human desires. It is legitimate, therefore, to ask ourselves whether we are really getting what we want and what we need.

We have gone far in building history's first suburban civilization. During the 1950's two-thirds of the growth of the U.S. population took place in the suburbs. During the same period, half the counties and eleven of the twelve largest cities in the nation—including New York—actually lost population. Only Los Angeles, which is not much more than a cluster of suburbs, held her own.

As a result, one out of every three Americans today is living in a suburb. To show how widespread this phenomenon is, let me list the big metropolitan areas whose city people by 1960 were outnumbered by those in their own suburbs: Atlanta, Boston, Buffalo, Cincinnati, Detroit, Kansas City, Los Angeles, New York, Philadelphia, Pittsburgh, St. Louis, San Francisco, and Washington. This was true of only three of these thirteen a mere decade before.

These are literally bedroom towns. More and more, people do not live where they work or work where they live. The separation of man from his job, begun by the horse, accelerated by the trolley and the commuter railroad, is now on the way to being made complete by the automobile. In addition to those going to work from the suburbs into the city, we now have reverse commuting and cross-regional commuting. More cars cross George Washington Bridge every morning headed for New Jersey than the other way around. And 60% more people pour into Stamford, Conn., from New York State each day than leave Stamford for New York.

But it is not jobs that are setting the pattern of our bedroom towns. It is the people. They have migrated in hordes to the suburbs, not only to get a little grass, peace and fresh air, and to escape the noise, the dirt, the crowds, the squalor and the switch blades of the city. They have moved to the country mainly to enjoy their new affluence and to give their children a better start in life.

No one could quarrel with these goals. And, with one major exception, these goals are being achieved. By and large, the new suburbanite has left behind what he did not like and has found what he wanted.

KARSH

Mr. Lazarus, president of Federated Department Stores, is a member of ADL's national commission and vice-chairman of its committee on organization and planning. This article is excerpted from his recent address before the Better Business Bureau of Metropolitan New York.

What, then, is the major exception? It is this: Are the parents in these communities actually giving their children a better start in life? On the surface, yes. The average suburban child has better schools, better housing and better health than either his parents or the neighbor he left behind in the city. We will have to scratch below the surface to find out what is missing.

What the suburban child is missing is the experience of being brought up as an American. The walls that surround his environment are almost as high and as difficult as the walls that surrounded the ghetto of Warsaw. They tend to keep out everyone not belonging to a single economic class, whether they be the walls of a low-cost housing project, of a Levittown or Sunny Acres, or the zoning walls of Darien, Conn., or Grosse Point, Mich. Outside these walls is America, with its teeming multitudes, its color, vitality, conflict and choice.

In the process of building man's first suburban civilization, we are segregating our society into tens of thousands of modern ghettos, each housing only the poor, the blue collar workers, the middle class or the rich. We are developing what I call Classville, USA.

Classville is by no means confined to our suburbs. We find scores of them in our metropolitan centers. From time immemorial cities have had their Park Avenues and Lower East Sides. But now, as the middle class flees, leaving its worn-out housing behind for the new migrants pouring in from the farms of Puerto Rico and the Negro South, the city is becoming more and more a place for the very

Issue Before the Supreme Court

EQUAL RIGHTS FOR THE SATURDAY SABBATH OBSERVER

Is a Seventh Day Adventist entitled to unemployment benefits although she refused to work on Saturday? The Court's decision will have far-reaching implications for Jews too.

LORD will not hold him guiltless that taketh His name in vain.

8 Remember the sabbath day, to keep it holy. 9 Six days shalt thou labour, and do all thy work; 10 but the seventh day is a sabbath unto the LORD thy God, in it thou shalt not do any manner of work, thou, nor thy son, nor thy daughter, nor thy man-servant, nor thy maid-servant, nor thy cattle, nor thy stranger that is within thy gates; 11 for in six days the LORD made heaven and earth, the sea, and all that in them is, and rested on the seventh day; wherefore the LORD blessed the sabbath day, and hallowed it.

8 זָכוֹר אֶת־יוֹם הַשַּׁבָּת לְקַדְּשׁוֹ׃ שֵׁשֶׁת
9 יָמִים תַּעֲבֹד וְעָשִׂיתָ כָּל־מְלַאכְתֶּךָ׃
10 וְיוֹם הַשְּׁבִיעִי שַׁבָּת | לַיהוָה אֱלֹהֶיךָ
לֹא־תַעֲשֶׂה כָל־מְלָאכָה אַתָּה | וּבִנְךָ־
וּבִתֶּךָ עַבְדְּךָ וַאֲמָתְךָ וּבְהֶמְתֶּךָ וְגֵרְךָ
11 אֲשֶׁר בִּשְׁעָרֶיךָ׃ כִּי שֵׁשֶׁת־יָמִים עָשָׂה
יְהוָה אֶת־הַשָּׁמַיִם וְאֶת־הָאָרֶץ אֶת־
הַיָּם וְאֶת־כָּל־אֲשֶׁר־בָּם וַיָּנַח בַּיּוֹם
הַשְּׁבִיעִי עַל־כֵּן בֵּרַךְ יְהוָה אֶת־יוֹם
12 הַשַּׁבָּת וַיְקַדְּשֵׁהוּ׃ ס כַּבֵּד

The Fourth Commandment: "Remember the Sabbath day."

By PAUL HARTMAN

"I just want to keep my Sabbath. That's what I want to do. I want to please God instead of man."

IN 1957, Mrs. Adell H. Sherbert of Spartansburg, South Carolina, became a member of the fundamentalist Seventh Day Adventist Church. It was a simple act of faith by a middle-aged woman who had toiled for many years as a spool tender in a textile mill in her home town. No one—least of all Mrs. Sherbert—could have foreseen a by-product of her conversion: a complicated civil rights issue reaching the highest court of the land. But now, the United States Supreme Court must soon decide her case, which bears the formidable title of "ADELL H. SHERBERT, appellant, *against* CHARLES V. VERNER *et al.,* as Members of the SOUTH CAROLINA SECURITY COMMISSION and SPARTAN MILLS, respondents."

Spartan Mills is the name of the firm for which Mrs. Sherbert worked for thirty-five years. In all that time she had never been asked to work on a Saturday. Then, two years after her conversion, Spartan Mills went on a six-day week. It would have violated the tenets of her religion to work on Saturday and Mrs. Sherbert refused to do so. She was fired from her job.

Seventh Day Adventists hold to a literal reading of the Scriptures. They believe that Saturday, the seventh day of the week, is the Sabbath and that God has forbidden "labor or common work" of any type on that day. They also believe that the day begins and ends at sunset.

THE parallel with the convictions of Orthodox Jewish Sabbath observers is evident. And Orthodox Jews, too, have had the same problem that now confronted Mrs. Sherbert. She had lost her job because she had refused to work on Saturday. There were other jobs available—but these too required that she work on her Sabbath. She could not accept them. The question now came up: Was she entitled to receive state unemployment compensation benefits? And if the state said no, was it abridging her religious and civil rights guaranteed by the U.S. Constitution?

Like other states, South Carolina grants unemployment insurance benefits only to persons who are "available"—able and willing to work. In other states—most recently, Ohio, Michigan, and North Carolina—conscientious Sabbath observers have been ruled "'available" even if they will not on religious grounds take certain jobs they are qualified for. But in South Carolina, for the first time in the case of Mrs. Sherbert, the courts of the state agreed with the ruling of the social security commission that the Saturday Sabbath observer was not entitled to unemployment insurance benefits. Her case had to be appealed to the Supreme Court.

THERE are two constitutional issues involved.

1. The First Amendment includes a guarantee against any prohibition of the free exercise of religion. Like every other state in the Union, South Carolina has a similar guarantee in its constitution. The question: Is South Carolina violating the religious freedom of Seventh Day Adventists (and other Saturday Sabbath observers)?

2. The Fourteenth Amendment declares that "no state shall . . . deny to any person within its jurisdiction the equal protection of the laws." The question: In refusing Mrs. Sherbert the benefits that all citizens of the state are entitled to, is South Carolina denying her the equal protection of the law?

Mrs. Sherbert's case will come before the U.S. Supreme Court sometime in April; the Court's decision will probably be handed down before the end of the current term in June. The ADL has joined with the American Jewish Committee and the American Civil Liberties Union in filing an amicus curiae in her behalf. Here is a summary of the brief's argument:

IN THE 1870's in the case of *Reynolds* v. *U.S.A.,* a Mormon who had been convicted of the crime of bigamy in the Territory of Utah appealed the conviction on the ground that his church *required* poly-

Continued on page 8

Dr. Hartman is associate director of ADL's law department.

PAGINATION INCORRECT

Political Memo from COPE

COMMITTEE ON POLITICAL EDUCATION, AFL-CIO
815 16th STREET, N.W.
WASHINGTON 6, D. C.

No. 7—63 April 8, 1963

IN MEMORIAM: JAMES L. McDEVITT

Printed obituaries are the bare bones of a man's existence. They cannot flesh out the meaning of his work, the purpose of his efforts or the impact of his character on those around him.

James L. McDevitt—National COPE Director, who died March 19—was one whose character and contributions no words could do justice to. His dedication was too deep, his good works too wide to be compressed into print.

He devoted himself to one cause: a brighter, more secure life for his fellow human beings through the political and economic activities of trade unions. For this, he gave his energies unstintingly.

Personal reward, beyond the satisfaction that his efforts meaningfully advanced this cause, did not concern him.

If yardsticks were used to assess the value of a man's life, his would come full measure.

He was a kind, warm and gentle man, who will be missed deeply by a devoted family, a host of friends, and a saddened staff, and—though they may be unaware of it—by millions of working people whose lives are better because he helped make them so.

ONE YEAR LATER—REAPPORTIONMENT MOVES AHEAD

Launched by the Supreme Court's historic decision of just a year ago, efforts are moving swiftly to reapportion state legislatures to break the grip of rural-conservative control.

Though some states have passed, or are considering, laws effecting the least possible change, **the over-all results nationwide can only add up to fairer representation for the city voter.** Since the Supreme Court decision of March 26, 1962, some breakthrough toward reapportionment has been made in 42 states.

Fifteen already have enacted legislation. Proposals are being considered in 17 others. Some 78 law suits have been filed in 38 states and court decisions have been handed down in 41 cases.

THERE'S NO ESCAPING RIGHT WING PROPAGANDA

Don't look now, but **your kids, your friends and your neighbors** are being exposed to the right wing epidemic. The sickness reaches into neighborhood movie houses, schools, churches, service clubs, industrial plants.

A new book, "The Extremists," by Mark Sherwin, says propaganda cartoon films have been distributed by Metro-Goldwyn-Mayer studios to more than 15,000 moving picture theaters and have been seen by more than 35 million Americans. The films were produced by **Harding College,** Searcy, Ark., which gushes rightist propaganda like a newly-found oil well.

Another film made by Harding College, "Communism on the Map," has been seen by more than 15 million. It undercuts American foreign policy, implies **all major nations except U.S., Spain and Switzerland are under, or nearly under, Communist domination,** hints the late Gen. George Marshall **helped communize China.**

A MATCH MADE IN HEAVEN: PEGLER WEDS JBS

For years, Westbrook Pegler wrote a venomous column for the Hearst newspapers. Not too long ago he got the heave-ho. **He found a natural home, however, in the John Birch Society.** His first article for the JBS publication, "American Opinion," was typical of the right-wing's undying hatred of Franklin and Eleanor Roosevelt. This quote is from Pegler's article:

"This woman (Mrs. FDR) was as bad as her idolators said she was good, as cruel as they said she was generous . . . (she) was the worst liar in modern times."

AH, THAT SWEET L'IL OLE ETHICAL MEDICAL PROFESSION

Fifty doctors in Los Angeles are under investigation for filing **phony claims** on county charity cases. The champion of the crowd, a surgeon, already has been convicted after accusations **he filed $53,000 in bills to the county, 60 percent of which was sheer padding.**

The world breathlessly awaits some word of censure from the American Medical Association. **Don't hold your breath too long.**

5 LOCALS CONTRIBUTE 100 PER CENT TO COPE

Five more locals have received 1963 COPE honor awards for collecting the equivalent of $1 or more from each of their members. Listed by states they are: **Calif.** — Santa Fe Springs, Pulp, Sulphite 961. **Ill.** — Chicago, O.C.A.W. 7-474. **Wyo.** — Bairoil, O.C.A.W. 2-268; Cody, O.C.A.W. 2-373; Greybull, O.C.A.W. 2-656.

THE MINNESOTA STORY—WHAT THE PAPERS DIDN'T TELL YOU

Nearly five months after election day, liberal Karl Rolvaag was declared governor of Minnesota following a long recount battle which wound up in court. He won by 91 votes.

What didn't come out in newspaper coverage of the extended battle was the fact that Rolvaag's opponent, conservative incumbent Gov. Elmer Anderson, was desperately trying to cling to office as long as possible **to sign a series of anti-labor bills the GOP-controlled legislature is expected to pass.**

Luckily, the court decision came in time in true Frank Merriwell tradition. Among the measures Anderson favored, but which Rolvaag undoubtedly would veto, were:

Unemployment compensation—Proposed bill would have **thrown several thousand off the rolls, chopped benefits for 35,000 jobless,** boosted rates for small business and cut rates for big business.

Union political action—Proposal would have put labor's political efforts in a straitjacket.

Other proposals would have killed a current law permitting time off for voting, with pay; made it easier for employers to secure injunctions; restricted picketing rights.

The 91 votes by which Rolvaag squeezed into victory were out of a total of almost 1.3 million cast in November. **Did somebody say one vote doesn't count?**

THOSE "SECONDARY" OFFICES HAVE PRIMARY IMPORTANCE

A lot of folks who always vote in a presidential or congressional election think other offices are of secondary importance and fail to vote in state contests. They're mistaken. Often, the right man in the right office at the right time makes a key move that can affect the welfare of thousands.

This occurred in Minnesota when liberal Lt. Gov. A. M. Keith **outfoxed the conservative majority** in the State Senate and stalled approval of a proposal to slash jobless benefits.

This is what happened: The State House of Representatives was debating amendments to the proposal. The Senate had the jobless pay cut first on its agenda for attention, but had to await House action. Presiding over the Senate, Lt. Gov. Keith permitted conservatives to wander on to other issues. He was assisted by a five-hour filibuster by a liberal senator.

When it came time to consider the House amendments to the bill, Keith ruled **the Senate was too late** and had passed that spot on the agenda. This was one day before liberal Karl Rolvaag was declared governor. Conceivably, had the Senate been able to act, the bill could have become law with the signature of then Gov. Anderson on his last day in office.

So a "secondary" job often has primary importance.

POLITICAL ACTION STIRRING DOWN ON THE FARM

The liberal National Farmers Union has planted political seeds which could sprout into a **harvest of progressive legislators** from the farm belt.

The NFU represents more than 300,000 farm families in western states. It will attempt to inform its members, and to get them to register and vote, through the newly-formed Rural Political Education Committee.

RPEC will distribute voting records of congressmen and will be financed by voluntary contributions of its members.

For years, the ultra-conservative, union-hating American Farm Bureau has had the barnyard all to itself. Hopefully, the challenge of the Farmers Union **could diminish Farm Bureau political success.**

AMA UNIT REPORTS SPENDING $250,000, BUT THAT'S NOT ALL, BROTHER

The medical politicians who laid down their stethoscopes to take up arms for the conservative cause **shelled out nearly $250,000** in support of anti-health care candidates in the 1962 elections. That is, the American Medical Political Action Committee **reported** spending $250,000. As a national outfit, AMPAC is compelled to file campaign spending reports with the U.S. House of Representatives. State medical political affiliates are not.

For this reason, the National Senior Citizens Council figures $250,000 was only the **tip of the iceberg** of spending by the medical profession. It estimates aid to candidates and anti-health care propaganda cost the AMA and its affiliates **$7 million last year.**

COPE Memo is published every two weeks by the Committee on Political Education, 815 - 16th Street, N.W., Washington 6, D. C. Subscription price $1.00 per year.

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the ADL bulletin
PUBLISHED BY THE ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH

APRIL, 1963

p. 6 Rochwell

REVOLT IN OAK PARK

A girl with a violin proved to this famous Chicago suburb that it opposed racial barriers.

By Jacob Sloan

Oak Park, Illinois, was in the newspapers again—and the comfortable residents of that well-to-do suburb on the outskirts of Chicago did not like it at all. They read on and were aghast at the image of themselves being presented to the world.

A young Negro violinist called Carol Anderson had been invited by Milton Preves, its conductor, to join the Oak Park-River Forest amateur orchestra. On December 4th, at the first rehearsal all had gone well—the other musicians liked her, both as musician and as a person, and she liked them.

But about a week later the blow fell. Miss Anderson received a phone call from the chairman of the Board of the Oak Park-River Forest Symphony Association. Mrs. Gustave Palmer had unwelcome news. The board had decided not to allow Miss Anderson to play.

Carol Anderson, a pretty, sensitive girl of twenty-three, and a 1961 graduate of the Boston Conservatory of Music (where she had been class president) did not try to argue or force the issue with Mrs. Palmer. For this community has been in the news before because of its unfriendliness to anyone who was not a White Protestant . . .

Oak Park is a large suburb situated just west of Chicago. It is a well-to-do community, and the people who live in Oak Park have a reputation for liking it there just as it is: lovely homes, tree-lined streets and (practically) lily-white. At last count, 62,000 persons were living in Oak Park, or some 20,000 families—of which only two were Negro, and one an eminent chemist. Several years before, Percy Julian had built a home in Oak Park and, despite considerable controversy, had stayed on. But the Julians had been followed by only one other Negro family, although an adjoining suburb — Maywood — has a substantial number of Negro residents.

So Carol Anderson did not remonstrate with Mrs. Palmer at this direct racial rebuff. But Milton Preves, the conductor who had invited Carol Anderson to play with the Oak Park orchestra, was furious. After a heated exchange with Mrs. Palmer, Preves sent in a letter of resignation to the board. His statement was printed in the press:

> "I do not wish to be associated with and particularly known as head of an organization which practices the discrimination of excluding any person because of color."

This was on February 9. Within a week three other musicians had resigned, for the same reason. Quickly the case of Carol Anderson became a national (and international) cause celebre. Literally hundreds of news stories appeared in the metropolitan, special interest and neighborhood press in the Chicago area. There were editorials in all the major papers. The case of Carol Anderson was given wide coverage on radio and TV. Messages of congratulation poured in on Milton Preves—some from as far away as Asia and Europe.

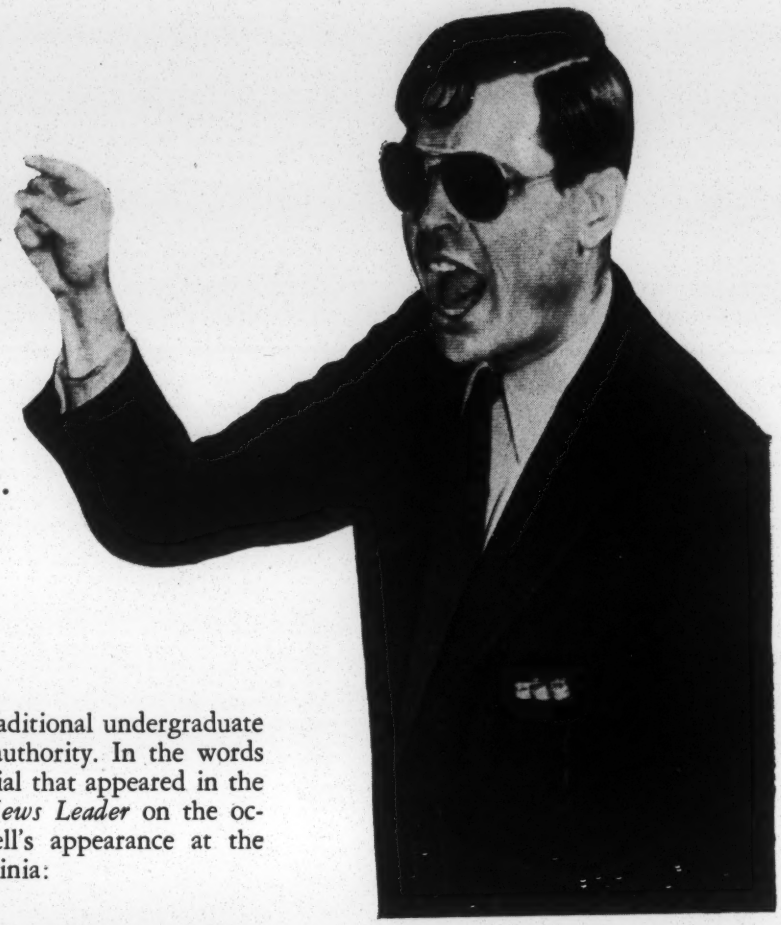
Mrs. Palmer was perplexed, vexed, hurt at "outsiders" who were making a mountain out of a molehill. Why couldn't they just let well enough alone? "I can't understand why a person [Milton Preves] would come in this town and gladly take the money we offer and bring us his problem." The discrimination Oak Park practiced was not Oak Park's problem, as Mrs. Palmer saw it. Whose was it then?

The day the story of Carol Anderson broke in the Chicago press was a Saturday—by coincidence, Race Relations Sabbath. The next day was Race Relations Sunday. In pulpit after pulpit in Oak Park and adjoining River Forest, rabbis and ministers preached sermons decrying the racial discrimination that the local symphony orchestra had shown against Carol Anderson.

On Monday, the clergymen moved

Mr. Sloan is the managing editor of the ADL Bulletin.

ROCKWELL ON THE CAMPUS



"An interesting phenomenon" for some students; a source of derision for others.

By LYNNE IANNIELLO

A TALL, well-dressed man strides briskly across the college campus. He carries an attache case stuffed with papers, reports, notes for the speech he is about to make. There is nothing in his appearance to set him apart from any other American. But two things do set him apart—a cordon of police marching protectively around him, and a small metal swastika gleaming on the lapel of his jacket. This man is George Lincoln Rockwell.

The head of the American Nazi Party, the would-be "fuehrer" who boasts he will be President of the United States by 1972, has exchanged street corners for a new forum—the halls of our nation's academic institutions. His business suit and attache case are innovations too. Before he extended his activities to the college campus, "Linc" Rockwell peddled hate in a storm trooper uniform; his aides carried picket signs urging the gassing of Jews. Peddler or salesman, Rockwell's line is the same —85 per cent of American Jews must be killed because they are disloyal; American Negroes must be sent back to Africa because they are inferior. And if Rockwell's image has changed of late, it is not his own doing—college officials have forbidden his appearance in uniform.

Rockwell on a college campus—at such institutions of higher learning as San Diego State College, Carleton College, the Universities of Illinois, Chicago and Virginia; a Rockwell "trooper" speaking at Hunter College; invitations for Rockwell to speak (later cancelled by university officials) before groups of students at Northwestern, Bucknell and Pittsburgh. Why is it happening? How? What have been the results?

THE WHY is difficult to explain. One explanation attributes it to nothing more serious than the traditional undergraduate rebellion against authority. In the words of a jocular editorial that appeared in the Richmond, Va., *News Leader* on the occasion of Rockwell's appearance at the University of Virginia:

> "Since at least the 11th century, it has been the chief creative activity of students the world over to contrive new ways to harass their masters—to put them in a fix where they are damned if they do, and damned if they don't. Here they did it again.
>
> We may surmise that the university's Dr. Shannon, gazing glumly at this application, ached clear down to his metatarsals. If he granted permission for . . . Rockwell to speak under University auspices at Cabell Hall, influential alumni and the American Legion would be heard from. If he refused permission, he would be denying free speech at Mr. Jefferson's University. Would the students be dissuaded? No. Would they please reconsider? No. In the end, the administration yielded morosely, seized the dilemma's lesser horn, and granted the use of the hall . . . Boys will be boys, and February is a dull month anyhow."

More seriously, a student at the University of Chicago, who had invited Rockwell to address the residents of his dormitory, explained it this way: "I can think of several benefits University students will gain from hearing Rockwell, in addition to familiarization with his beliefs. For one, Rockwell is a very interesting sociological and psychological phenomenon, an unavoidable product of our times.'

The student added that Rockwell's appearance would demonstrate the "aura of freedom" on the campus and would therefore attract scholarly applicants to the university.

THE "aura of freedom" is Rockwell's admission to college. Once he has been invited to speak, usually by some student group, university administrators are placed in a near impossible situation. To allow the Rockwell "lecture" causes heated debate, on campus and off. To forbid it causes just as much debate.

Shortly before Rockwell's scheduled appearance at the University of Chicago this year, Dean of Students Warner A. Wick cited a passage in the University Student Code which provides that recognized student organizations "may invite and hear speakers of their choice on subjects of their choice." The dean said that "although we should have preferred to celebrate our principles on an occasion that promised to be more wholesome, the University will keep its faith with the student code and with the tradition of free interchange that the code embodies."

American colleges and universities must maintain intellectual freedom, free speech, free exchange of ideas. George Lincoln Rockwell, by no stretch of the imagination an intellectual, knows this, counts upon it, plays upon it. For in Rockwell's own words about his Nazi party, "We are not damn fools."

"I was a flop five years ago," Rockwell says, "and now we have reached the public."

And by expanding his activities to college campuses, he has indeed reached the public. Before he even makes his appearance, mass media reports give him what he considers his most important

PAGINATION INCORRECT

need—publicity. At the University of Virginia, at the invitation of the conservative John Randolph Society, Rockwell candidly told his audience that some of the things he does are deliberately designed to gain publicity for his cause and he hoped they wouldn't be held against him.

WHAT have been the results of Rockwell's campus talks? He has been hooted, booed and laughed at. He has also been listened to by highly attentive audiences —whether through inherent politeness or genuine interest is hard to tell. Most of the colleges at which he has appeared have asked the students not to demonstrate or become unruly in any way, and before he accepts an invitation, Rockwell makes sure he will have police protection.

Where Rockwell does appear, the end result is the same—controversy and publicity. On the occasion of his speech at Carleton College, Minneapolis and St. Paul newspapers featured him in front page stories; TV stations interviewed him. At San Diego State College, where he was involved in a fist fight with a Jewish student, the incident received nation-wide coverage.

AFTER Rockwell's appearance at the University of Chicago, a *Chicago Daily News* editorial made this comment:

> "The proper treatment for such unutterable scum is to deprive them of the attention they seek, whereupon they would abandon their posturing. We can understand the undeviating devotion to free speech that prompts the University of Chicago to tolerate Rockwell. We cannot comprehend the perverted mischievousness which prompts an invitation to this odious creature."

And at the same university, in a letter protesting the appearance of Rockwell, eleven faculty members wrote:

> "The action of a small group of students was surely a reflection on their judgment and perhaps on the education which we have provided them."

But whatever motivates students to subject themselves to Rockwell ideology —curiosity, "perverted mischievousness," or a lamentable ignorance of history—they would do well to follow the advice which appeared in a letter to the editor of Northwestern's student newspaper.

Wrote Stephen Spender, internationally famous British poet:

> "I would like to recommend anyone who really wishes to attend meetings of Nazis, to resolve also to exercise his freedom by going to Poland to look over the Auschwitz concentration camp. Among the gas chambers, and corridors lined with innumerable photographs of victims all bearing the same expression on their faces, he may find further material for thought in making the difficult decision whether to be for or against the Nazis."

Coming May 21 in

LOOK

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Fifty years ago, the Anti-Defamation League began its uphill fight for Jewish rights. Today, ADL is a major force in America, battling for the rights of all people.

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Read it in LOOK.

OAK PARK

Continued from page 2

Churches were unsuccessful, Mrs. Palmer and two other orchestra board members declaring that they would cancel the concert at which Miss Anderson was scheduled to play rather than admit her to the orchestra. At this point, the clergy decided the time had arrived for serious pressure. The Council of Churches issued the declaration they had held in reserve. It was signed by seventeen Protestant ministers, two rabbis, and a Roman Catholic priest

This combined pressure from its own community did the job. Within three days after the story had first made headlines, Mrs. Palmer apologized to Miss Anderson, and affirmed a policy of selection of musicians without regard to race or creed with a view to securing the most competent and talented person available.

The performance, held on February 18th, was a personal triumph for the victim of discrimination and her defenders. The climax to this stormy interlude was an ovation from an audience swollen to 700 compared to the 400 that normally attended concerts.

WOULD Oak Park return to its former ways, now that the furor was over? In one of the many editorials that appeared in the Chicago press, the *Daily News* touched the heart of the problem:

> "One of the sad aspects is [Mrs. Palmer's] conclusion that it's the other fellow's job. Moral buckpassing . . . has characterized race relations in urban areas. We are asked to believe that Oak Park had no racial problems until Preves brought them . . . that the only moral obligation of an organization is to abide by community custom. To wait for 'community opinion' is to relinquish the right to make one's own moral decisions."

The community of Oak Park had finally assumed that responsibility, in the case of Carol Anderson. But one incident does not make a practice. Whether Oak Park would extend nondiscrimination to other areas—housing for example—remained to be seen.

DEFIANT MARTYR

Continued from page 3

permission for the transfer of much-needed food. The old doctor went to the Gestapo office and complained. He was brutally beaten and arrested, but his spirit was unbroken.

Arrested again and asked by the Nazis why he refused to wear the arm-band, Korczak replied:

> "There are God-given laws and man-made laws. So long as I live I shall heed only God's eternal laws. The decree that Jews wear arm-bands I consider man-made. Such decrees are ephemeral, and I will not obey them."

The Warsaw Ghetto was flooded with the abandoned and neglected children of Jewish refugees who had died of starvation and disease. These children became Korczak's concern. Taking them into his already overcrowded orphanage, he pleaded, cajoled, harassed the Jewish Council that administered the Warsaw Ghetto and the few more fortunate Jews in the ghetto for help, for food, clothing, fuel.

WHEN the end came, Janusz Korczak was prepared. For months the Gestapo had been systematically liquidating the Warsaw Ghetto of "useless mouths" by "deportations"—to the extermination camp of Treblinka. SS detachments roamed the streets, burst into homes, and dragged victims to the Umschlagplatz, where trains waited to be packed for the final journey.

Wednesday morning, August 12, 1942, Nazi troopers converged on the orphanage. Janusz Korczak was ordered to prepare the children for "deportation." Korczak himself was exempt. But he refused this last opportunity to save his life. As the folk ballad by Wladyslaw Schlengel tells us, Korczak had the children dress in their sabbath best on the pretext that they were going on an outing to the country. Then he marched them, in perfect order, holding hands and singing, to the Umschlagplatz. Korczak went at the head of the procession, holding the two youngest children in his arms. A twelve-year-old boy playing a violin walked on one side of him; on his other side walked a boy bearing the orphanage flag—the color of green, for life.

The heroic example of Janusz Korczak, the most famous martyr of the Warsaw Ghetto, has remained green in the memory of Jews, and of humanity.

the ADL bulletin
PUBLISHED BY THE ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH

MAY, 1963

Soviet Maverick
(Page 4)

Teachers Need Help
(Page 6)

Prayer in Birmingham.

THE ORDEAL OF AMERICAN NEGROES

Disenchantment with "gradualism" has built fires of resentment -- even against white liberals.

By Dore Schary

James Howard Meredith recently told a reporter, "I'm not a well-adjusted Negro. I don't want to ever think I'm well-adjusted as a Negro."

He meant, of course, adjustment to the separate but unequal life of a Negro in Mississippi. His mother, the wife of a cotton farmer, approved of her son's role as the first and only Negro enrolled at Ole Miss. It called for him to walk the gauntlet of hundreds of jeering, name-calling white students. "I'm glad he did it," she said. "I never once doubted he had the courage."

There is a new militancy among Negroes. Along with it is a greater resentment of whites because of ever-broken hopes and promises. And these expressions of resentment are today more candid and forthright than ever.

The causes of resentment are itemized in the newspapers every day. It is sufficient to note that the Emancipation Proclamation is now 100 years old—and its promise still remote from reality; that the Supreme Court's decision on desegregation of public schools came in 1954—and to this day no more than 7 to 8 per cent of Negro children in the South attend integrated schools.

This new militance toughens and mobilizes parts of the Negro community which have never before been involved in civil rights activity—the very idea seemed remote to them a few years ago. The old established forms of protest and improvement — leaving things in the hands of experts and lawyers—no longer satisfy great parts of the Negro community, especially the young people.

The motives of the white liberal community, the meaning of the Judeo-Christian tradition are being seriously questioned. The Black Muslims are but the most publicized of various Negro movements produced in dire reaction to the cruel past. They have a tragically racist appeal, they preach a hate produced by hate, they deny that all men are brothers. If white Northerners feel the slightest bit smug about their treatment of Negroes, let them be reminded: The Black Muslim movement is essentially a phenomenon of the urban North, a reflection of the Negro ghettos, poverty, inadequate education—and again—broken promises.

In a complicated way, Jews often appear to Negroes to be members of the propertied white Establishment, its nearest representatives, and a special target. In urban areas of the North, often enough, Negroes moved into communities after first-generation American Jews started to leave them for better housing. But Jewish "influence" continued to be felt by the newcomers; for many years now the term "Jewish landlord" has had a special and negative meaning to many Negroes. In the North and South, the Jewish peddler became the local shop or department store owner; Negroes had contact with them, all out of proportion to numbers. The Negro-white conflict expressed in current Negro boycotts of retail stores in primarily Negro sections often adds to Negro-Jewish tensions, too.

Today, inevitably there are expressions of anti-Semitism among Negroes. The Black Muslims express it one way; its leaders tell followers that Jews might serve as an example: "Jews are unified and well-organized, Jews have managed to get hold of property, own their own facilities, hotels, and restaurants, Jews have carved out their own state in Israel. We can learn, should learn how they did it, do it ourselves, do it better." Implicit in this is both envy and hostility.

Anti-Semitism is occasionally seen even in the more conservative Negro press —and in the statements of the more demagogic Negro political leaders. A news magazine recently planned to feature a story about anti-Semitism among Negroes; it sent a reporter to Harlem, a Negro, to research the story. He came back to his office to shake his white colleagues by the virulence of the anti-Semitic remarks he had heard during his interviews.

ADL research in the South has found anti-Semitism among Negroes there too. Since the Supreme Court decision, the South has been a special target for the anti-Semitic and racist literature of such a man as Conde McGinley in his *Common Sense,* and *The Thunderbolt* of the National States Rights Party. This material is now getting into the hands of Negroes too; the racist anti-Negro portions they take for granted and ignore—the anti-Semitic portions they seem to have a tendency to read and retain.

Negro anti-Semitism is a particular

Mr. Schary is ADL's national chairman.

SERS Library

CHICAGO DEFENDER
p. 3
Date: May 25-31, 1963

Ohio
States Rights Party Nat'l - Ohio

White Supremist Party Recruits In Ohio For Presidential Election

DAYTON, Ohio — (UPI) The National States Rights Party, a white supremist, anti-semitic group, was reported to be recruiting members in preparation to getting a presidential candidate on the ballot in Ohio next year.

The candidate would be chosen at the party's 1964 convention. In 1960 the party nominated Gov. Orval E. Faubus of Arkansas.

Irving Thacker, state organizer for the NSRP which has national headquarters at Birmingham, Ala., said "we want to get on the ballot as soon as possible in Ohio. We consider Republicans and Democrats evil. However, there is a lesser evil.

"We will vote for a lesser evil until we get on the ballot."

Two national officers of the party, national chairman Ned Dupes of Knoxville, Tenn., and J. B. Stoner of Atlanta, the party's legal counsel, held meetings at Columbus, Friday, Cleveland, Saturday and here on Sunday.

OHIO RATES HIGH

Stoner called Ohio one of the best northern states for its acceptance of the NSRP, and also ranked California as a good one.

Thacker said more meetings throughout the state were planned for the near future.

The party last made news in Ohio, just less than a year ago when police in Wilmington investigated the distribution of the party's organ, The Thunderbolt.

At that time, reliable sources told United Press International the little-known party has been in existence since the late 1950's and that it's total membership figure is not known.

TOTAL SEGREGATION

Included in the party's platform as outlined to UPI last year were total segregation of non-whites, the banning of interracial marriages, ending of school integration, an end to aid to Israel and the resettlement of Negroes in Africa.

As the party's name implies, it also stands for state's rights.

The party circulated petitions in 1962, UPI was told, calling for the impeachment of President John Kennedy on the basis of 11 charges, mainly on alleged actions and attitudes not opposed to the Communist line.

The group in the past has attempted to establish itself as a third national party, but has not been successful in this effort. The party has been active in southwestern Ohio.

Segregation Groups - Misc

SERS Library

GREENSBORO DAILY NEWS (N. C.)
p. A15
Date: JUN 9 1963

States Rights Chapter Formed

Greensboro Daily News High Point Bureau

HIGH POINT, June 8—A local chapter of the North Carolina Defenders of States Rights Inc., has been formed here according to a group appearing before the High Point bi-racial committee.

Thomas E. Davis, of 1612 N. Hamilton St., told the committee that he had been appointed chairman of the High Point chapter by Rev. James P. Dees of Statesville, state president of the organization.

He said the organization is against supreme court rulings on segregation on the grounds that the court has exceeded its authority. Davis said that the chapter here already has some members but did not say how many. He said literature and other material will be made available within the next few days to outline the chapters position fully.

He declared that operators of the theaters, restaurants, and other private businesses have the right to "refuse service to anyone." He added that his organizatione does not advocate picketing and is opposed to violence in any fashion. The bi-racial group heard Davis during a meeting in the city-county building. He was told by Gen. Capus Waynick, chairman, that the committee is planning to hold a public hearing next Monday night regarding racial policy in High Point.

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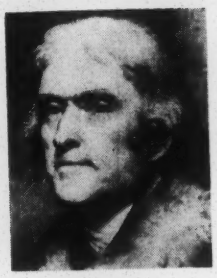
the ADL bulletin
PUBLISHED BY THE ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH

JUNE, 1963

Better Policy?
(Page 3)

John XXIII
(Page 5)



At Home
(Page 7)

President Kennedy addresses the nation on civil rights.

"Here, Now, All!"

THE CHALLENGE TO CONGRESS

It can help the peaceful revolution in race relations -- if our legislators rise above archaic rules and methods.

By Herman Edelsberg

"The (civil) rights here asserted are . . . *present* rights; they are not merely hopes to some *future* enjoyment . . . The basic guarantees of our Constitution are warrants for here and now."

U.S. Supreme Court
May 27, 1963

A new impatient mood is abroad in the land. It was only yesterday that Southern liberals were wont to discuss a staggered timetable of Negro rights, and civil rights leaders—white and Negro alike—were debating priorities in legislation. The Attorney General spoke of voting as being the key right, while the Housing Administrator said equal job opportunity is the door-opener. But in today's dominant Negro mood, timetables and strategic priorities are obsolete. Rev. Martin Luther King, Jr., asked about his civil rights goals, answered with irreducible terseness, "Here, now, all!"

The unhappy fact of the here and now, however, is that constitutional rights of Negroes are still in the future. They are still widely flouted—by governors as well as by local voting registrars, by school boards as well as by restaurant owners, by policemen as well as by nightriding hoodlums.

Long-pent-up Negro grievances and aspirations are exploding North and South—in Philadelphia and Birmingham, in Maryland and Mississippi. In the face of this danger, President Kennedy went to the nation on June 11 to plead that all Americans work to bridge the gap between constitutional promise and civil rights performance. In plain but eloquent words he ticked off the evil fruit of racial discrimination:

"The Negro baby born in America today . . . has about half as much chance of completing high school as a white baby born the same place on the same day; one-third as much chance of completing college; one-third as much chance of becoming a professional man; twice as much chance of becoming unemployed. No American can fully excuse, explain or defend the picture these statistics portray."

He warned that the nation faced a revolution in race relations, that the issue should not be fought out in the streets. He called upon Americans to do what must be done to make the inevitable change peaceful and constructive.

The judiciary, the executive, the private employer, he said, have a role in making that revolution peaceful. "But there are other necessary measures which only the Congress can provide." Specifically, the President called for legislation to give Negroes the right to be served in facilities that are open to the public—restaurants, theatres, retail stores. He called also for legislation to authorize the Attorney General to initiate litigation to end school segregation, thus lifting the burden from Negro parents and their organizations. Earlier in the year, he had requested legislation to strengthen the Negro right to vote by making a sixth-grade education proof of literacy in federal elections, and by authorizing the appointment of federal registrars in counties where less than 15% of qualified Negroes are registered.

The Birmingham riots and the Presidential appeal have given new impetus to this legislation, and Washington observers have become more optimistic about passage. Some would call the civil rights bill the "Governor Wallace bill" or the "Bull Connor bill" in ironic tribute to the unintended contributions of these strong segregationists. Fire hoses trained on praying Negroes, police dogs snarling at Negro children have indeed played a large part in hardening national determination to secure justice for Negroes. But, clearly, principal credit goes to the increased determination of Negroes themselves and their dangerous mood of revolutionary impatience as the goal of equality comes closer into sight.

The fate of this legislation is, however, far from assured. It is clear enough that the majority of the members of the Senate and House are ready to vote for it; the problem is whether they will get the chance to vote. Can it get by the Rules Committee in the House unscathed? Can

Mr. Edelsberg is ADL's Washington representative.

7-10-63

7/10/63

EDITORIAL THE CAPITAL TIMES PAGE

Young GOP 'Shocked' Moderate Minnesota Delegate

[Reprinted From Minneapolis Sunday Tribune]

By MERCER CROSS

MINNEAPOLIS — Leonard Nadasdy said Saturday he is "still in a state of shock" because of the Young Republican National Federation convention in San Francisco, Calif.

Goldwater

"The whole thing has been very disillusioning for me," said the immediate past president of the 500,000 member federation.

Narrowly elected to succeed Nadasdy for the next two years was Donald Lukens, 32, Washington, D.C., who campaigned as a supporter of Sen. Barry Goldwater, (R-Ariz.) for president.

Defeated was Charles McDevitt, 30, Boise, Idaho, who took no stand on a GOP presidential candidate. McDevitt had the unanimous support of the 15-member Minnesota delegation.

McDevitt had the edge going into the YGOP convention, said Nadasdy, 32, a General Mills public relations man who lives in Plymouth, Minn.

But, he said, Lukens' supporters "used the old Communist technique of causing a lot of dissension and a lot of furor, at which they were eminently successful."

* * *

THEIR PURPOSE, said Nadasdy, "was to completely ensnarl the convention and confuse everyone. All this was accompanied by screaming and hollering."

At the center of the confusion were members of the John Birch Society and the radical right, Nadasdy said.

Two years ago the Minnesotan was elected chairman as a member of the Young Republicans' moderate faction. As convention chairman this year, he said:

Right-wing delegates shouted at him to "go back to Russia."

"They made a couple of rushes at the podium to take the gavel away from me."

"There were fist fights on the floor."

"At one point the national anthem had to be played to make the delegates sit down, and police were summoned to keep order.

Radicals distributed scurrilous printed matter attacking Nadasdy.

* * *

McDEVITT'S HOTEL room was broken into and campaign literature, two typewriters and some briefcases were stolen.

"I've never seen such violence at a Young Republican affair," said Nadasdy. "It was like a nightmare to be there."

Goldwater appeared at a rally the first night of the convention.

Nadasdy said he appealed to the senator to help restore order. Goldwater said he would try to calm down the delegates and would say he supported no YGOP candidate for chairman, Nadasdy reported.

"He apparently forgot what he said to me," said Nadasdy. "All this did was to pour gasoline on the flames."

* * *

THE MINNESOTAN made this prediction concerning Goldwater:

"Unless the senator starts getting some sane conservative people around him, he's going to have a very difficult time getting the nomination and being elected."

Nadasdy said he has set out on this personal mission:

"During the coming year I want to try to alert the people, and especially the Republicans, as to the real objective of the John Birch Society and the radical right, which is to subvert the Republican party and to seize control, rather than just nominate a presidential candidate."

* * *

PARTICULARLY IN Minnesota, where Birchers are scarce, said Nadasdy, "It really worries me. I'm just afraid people aren't going to see the danger. I think we're complacent."

The radicals are "not reasonable," he said. "They know what they're doing. They know where they're going. They're extremely dangerous. They're after power for power's sake."

And the significance to the senior party?

"The significance," said Nadasdy, "is a word of warning that the national convention in San Francisco next year is going to be one of the toughest ones the party's ever had."

* * *

FAR-RIGHTERS spent much time and money to elect their man to lead the Young Republicans, said Nadasdy, and they'll spend 10 times as much to take over the senior party.

"It's a question whether the party's going to allow mob rule or whether they're going to see an orderly conducted convention."

As for Lukens, the new Young Republican chairman, "He is not a Bircher, but he certainly began to say everything they wanted him to say," said Nadasdy.

Lukens campaigned for abolition of the federal income tax, United States withdrawal from the United Nations and a "court of the union" higher than the U.S. Supreme Court.

* * *

"I'M VERY concerned about what's going to happen to the organization," said Nadasdy. "Only time will tell. I just want to see if Lukens can stand up to the people who elected him."

John Birchers at the Young Republican convention were mostly from California, Illinois and Iowa, with a scattering from other states, Nadasdy said.

"These people are a minority. They don't even represent one-fourth of the people in our party," he added.

"This radical element are just like the Communists. They drive the good people away."

Marvin had reference to differ-time staff.

7/13/63 Cap. Times

Creates Conflict, He Warns

Colston Condemns Hate Leaflet Distributed Here

An inflammatory leaflet charging that welfare agencies are conspiring with the National Association for the Advancement of Colored People (NAACP) to promote adoption of white children by Negroes, was condemned today by Marshall Colston, local NAACP president.

Colston said the mimeographed leaflet, which has been distributed in downtown Madison at various times during the past two weeks, is, **"clearly intended to inflame passions and create racial conflict, mistrust and fear in this community."**

* * *

Police Friday arrrested a 23-year-old paroled convict from California for passing out the leaflets in downtown Madison, but released him when the district attorney's office could find no charge to bring against him.

Printed by the "National Putnam Letters Committee" of New York City, the leaflet states that the NAACP and welfare agencies, "inspired by the Communists," would, "after you die in an automobile or airplane accident . . . get . . . a real genuine colored man to take your daughter into his home . . . for as she is still young and helpless."

* * *

Colston's statement said that "the contents and composition of the sheet suggest a person or persons who may be dangerously ill."

"The childish, sick inferences of the sheets cannot be dignified by a denial from the NAACP and need no denial from any social agency," he said.

The leaflet has been turned over to postal authorities for investigation of possible violations of federal laws, he said.

7-29-63

With Birch Society Founder

Cap. Times 7/29/63

Rev. Noebel Will Speak At Right Wing Meeting

The Rev. David Noebel, unsuccessful candidate for the 1962 Republican Second District congressional nomination, this weekend will join Robert Welch, director of the John Birch Society, and Evangelist Billy James Hargis, at the speakers' rostrum at the national convention of the Christian Crusade.

Mr. Noebel

Welch

Mr. Noebel, pastor of the Fundamental Bible Church here, is listed as the youngest of a quartet of ministers that will speak to the group in Oklahoma City.

The Christian Crusade has been associated with the extreme Right-Wing.

Mr. Noebel will speak on "The Liberal Papers," a document he frequently attacked in the last election.

A bitter critic of Rep. Robert Kastenmeier (D-Watertown), Mr. Noebel is a strong supporter of the House Un-American Activities Committee.

Mr. Noebel is now working on his doctorate at the University of Wisconsin. He has served as an instructor at the Christian Crusade's Anti-Communist Youth University, Manitou Springs, Colo.

Also listed as speakers for the convention are Fulton Lewis Jr. and former Maj. Gen. Edwin A. Walker.

Birch Group Has Record Income

BOSTON (UPI) — The John Birch Society had an income of $737,716.87 last year, one-third more than in 1961.

The financial report, filed by law with the Massachusetts Division of Public Charities, listed its chief source of income as $306,527.24 in contributions and $296,326.66 in dues.

In 1961 the society listed its total income as $534,241.58.

The society's largest expense was $370,474.95 for salaries, an increase of $102,000 more than the $268,745.65 spent in 1961.

The second largest expense was $139,066.60 for expenses and travel costs of the society's co-ordinators.

Officials said no accurate membership estimate could be ma from the dues since men a charged $24 a year while female members are assessed $12.

Mil. Journal

White Rights Leaders Assailed by Powell

He Says He'll Follow Only Negroes From Now on in Efforts for Equality

From Press Dispatches

Representative Adam Clayton Powell, speaking at a New York civil rights rally Sunday, said he was disillusioned with "white liberal" civil rights leaders and henceforth would follow the lead of the top Negro spokesmen.

Powell, Harlem Democrat and chairman of the house education and labor committee, said his disillusionment stemmed from a recent civil rights conference that voted against a plan to force a fair employment practice bill to the house floor through a rarely used legislative procedure.

Powell said:

"No white man any more is going to tell me what I should do in the field of civil rights."

He said he welcomed the support of white leaders "but the white liberal has got to make up his mind he must accept a secondary role."

In Los Angeles, Massachusetts' Atty. Gen. Edward W. Brooke, the nation's first Negro elected to a top state-wide office, Sunday asked delegates to the national Urban League convention to assume a more militant posture.

Brooke cautioned Negroes, however, to avoid demonstrations purely for the sake of demonstrating.

"If Negroes demonstrate while the white population is trying in good faith to meet their demands, if the Negroes' demands are unreasonable, if they ask for special privileges, then Negroes are walking perilously close to losing everything."

In Chicago, the National Catholic Conference for Interracial Justice passed recommendations to improve opportunities for Negroes and made plans to join the civil rights march on Washington Aug. 28 in support of President Kennedy's right program.

The action taken did not commit the bishops of the church, it was pointed out. "But we've seen signs of support for our program," said Mathew Ahmann, conference director.

In Washington, the post office department was accused by one of its unions of compromising its merit promotion plan by practicing "discrimination in reverse" in promoting Negro employes.

The United Federation of Postal Clerks (AFL-CIO) charged that a "quota of promotions is seemingly based on one's racial or ethnic background."

Postal officials emphatically denied, however, that there was a quota of Negroes who should be promoted or that qualification standards had ever been waived in order to promote a Negro.

The union sought to write into the merit promotion plan a clause requiring that promotions be made strictly on a seniority basis from a qualifying list.

Florida Gov. Farris Bryant asked congress Monday not to bury the rights of businessmen in the drive to assure equality for Negroes.

Bryant was the fourth southern governor to testify before the senate commerce committee against Mr. Kennedy's proposal to ban discrimination in hotels, restaurants and other private businesses serving the public.

Bryant said he was not arguing for or against segregation and added, "While I believe the federal government has the power, I do not believe it has the right to do what it proposes."

In Philadelphia, the National Association for the Advancement of Colored People picketed the main post office Monday tionokcz cmfwyp cmfwyp ppp to protest alleged discrimination against Negroes in promotions.

Danville (Va.) police intercepted 77 Negroes marching on city hall and loaded them into paddy wagons and a truck when they sprawled out on the pavement.

Police in Torrance, Calif., aided by mounted deputies, arrested 24 pickets protesting alleged racial discrimination at an all-white housing tract. The pickets, members of the Congress of Racial Equality, were charged with aiding, abetting and consoling other demonstrators who staged sitdown protests the day before.

McNamara Fills New Rights Post

Washington, D. C. —AP— Defense Secretary McNamara chose Alfred B. Fitt Monday for the new post of deputy assistant secretary of defense for civil rights.

Fitt, 40, of Highland Park, Ill., will be responsible for riding herd on the services in carrying out McNamara's orders to insure against discrimination involving Negro servicemen on military bases and in surrounding areas.

He has been deputy undersecretary of the army for manpower for more than two years.

Fitt directed Pentagon studies in the wake of a report by the president's committee on equal opportunity in the armed forces.

1962 Birch Income Grew by One-Third

Boston, Mass. — UPI — The John Birch society had an income of $737,716 last year, one-third more than in 1961.

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Radical Right hate groups

THE DEFENSE PROGRAM — AND THE NATIONAL NUT HOUSE

SCIENTISTS of the mind teach that frustrations and excessive fears lead to hysteria and neurosis, which in turn can bring insanity. **This is true of nations as well as of individuals.** The world saw this happen to the German people under Hitler. There is sound reason to believe that our own nation is entering on this path. A further descent could be swift.

FRUSTRATION AND EXCESSIVE FEAR we have, due to our failure to curb Communist expansion, which in turn arises from our inability to understand the nature of its aggressive thrusts. (Communism expands, not through the invasive power of Russian armed might but through **Marxist education, Marxist infiltration and internal subversion — culminating in internal revolution.)** There are organizations sprouting in this country as looney as anything in the early days of the Nazis — the John Birch Society, the fanatical "Christian Crusaders," etc., who are utterly blind to **the way communism really advances through feudalism, political frustration, poverty and illiteracy.** Meanwhile they scream about the threat of a Russian invasion and the Communists to be found under university dormitory beds and church pews.

Then we have the ever-growing, profit-ridden corruption-laden defense program that reeks with intimations of mass insanity.

SEVEN NOTED scholars, headed by Dr. Seymour Melman, professor of industrial engineering at Columbia University, have presented a statement, arising out of careful research and analysis, titled **A Strategy for American Security** — that lays bare in startling manner this growing national mental illness. Dr. Melman and his associates are deeply concerned over the mental and financial bankruptcy that threatens our country because of the grossly **excessive** creation of unneeded weapons.

MENTAL BANKRUPTCY threatens us because two-thirds of American engineers and scientists have been squeezed out of the civilian economy to engage in the sterile unproductive work of creating weapons.

FINANCIAL BANKRUPTCY threatens because American manufacturers, with so much of their talent and energy drained off for war preparations, can't compete with the Germans, Japanese, Italians, French and others whose military preparations are but a fraction of our own and whose industrial plants are daily becoming more modern and more efficient than our own. American shipyards can't compete with shipyards anywhere else in the world; American steel producers can't compete with German or Japanese steel; typewriter manufacturers have lost 40 per cent of their market to European countries. So much of American resources are devoted to military spending that there is not enough money left for civilian research and new modern machinery, concludes this analysis.

WE ARE OVERBUILDING our weapons by several hundred per cent, according to the evidence presented. The thousands of missiles and bombers we now have **could destroy every city in the Soviet Union with a population of more than 100,000, more than 1000 times over.** And this, if 50 per cent should fail to reach their targets! The Soviet Union has the capacity to destroy all similar cities in America over 100 times. We have enough atomic power to destroy all the cities in the Russian-Chinese bloc with a population above 100,000, more than 500 different times. About 70 per cent of the American nuclear arsenal could destroy all the cities of the world with a population in excess of 100,000 more than 125 times. (One major atomic missile can destroy any large city and we have over 4000 large caliber bombs and missiles.)

PRESIDENT KENNEDY'S SCIENTIFIC ADVISOR, Dr. Jerome B. Wiesner, is quoted as saying in 1961 that "200 secured missiles would provide an adequate deterrent." Even 100 of them could obliterate all the Russian population centers in the first strike with 100 left for a second strike. If the United States limited its defense spending to the maintenance of 940 missiles and only 2500 planes (we have over 10,000 planes) which is several times what Dr. Wiesner said was adequate as a deterrent, our military budget could be **cut from $56 billion to $9 billion.** Please note: The Melman group recommends holding our military power at present levels and only limiting our overkill capacity. By maintaining our present strength and replacing weapons as they become obsolete, **we could still cut $22 billion off the defense budget.**

MOST NEWSPAPERS, like most Congressmen, are chiefly interested in getting larger missile and plane contracts for their communities instead of smaller, therefore most of them ignored the findings of these eminent scholars. (The Vancouver, B. C., Sun carried the story on the front page on April 30, the Miami Herald also gave it space.) Among the prominent names who signed these findings are the noted child specialist of Western Reserve University, Dr. Benjamin Spock, William Vickery, professor of economics of Columbia University, Otto Feinstein, political scientist of Wayne University, and many others.

The Question

ON UNDERSTANDING EUROPE: DEMOCRATIC SOCIALISM

TO understand what will be happening in Europe during the coming months, one must understand the word socialism. It is an important and respected word, quite dissociated from communism in the minds of the people of Europe — and, for that matter, Asia, Africa and Latin America. Only in the U.S. is socialism a bad word. The Communists are partly to blame for this since they speak of socialism and communism as synonymous terms relative to Marxism. **But we should know better.** Likewise strident efforts are made by the radical right in the U.S. to give the word but one connotation: that socialism is the same as communism, that all socialism leads to communism — which is false. There are varying degrees of socialism. While the Socialists of Italy lean further leftward than do those of Scandinavia and England, the Italian Socialists are still very anti-Moscow and abhor the idea of any foreign Marxist domination of Italian life, while the Italian Communist Party must accept the close liaison of all orthodox Communists with Moscow.

THE SOCIALISM OF SCANDINAVIA AND ENGLAND is more properly called democratic socialism for both maintain the principle of complete political freedom, private ownership and a multi-party system rather than the one-party monolithic collectivism of the Marxists. Socialism in this European sense, simply stated, means government regulation and control of private wealth, that it not become exploitative. Scandinavian businessmen and British Laborites find little difference between their economy and that of the U.S. and laugh at the way Americans shy from and misinterpret the word socialism, for in our continued concern for economic justice to all classes we have followed much the same path as the prosperous Scandinavian countries and England.

PROTESTANTS IN AMERICA **have a particular obligation to understand these differences for most Protestants in Europe are Socialists,** just as the Protestant countries of Scandinavia are Socialist, and Protestant England has often had Socialist party rule. Protestant groups in Italy, France and elsewhere are comprised almost entirely of the middle classes who will not support the right-wing reactionary parties, which are always closely aligned with the Roman Church; nor can the Protestants vote with the Communists who largely dominate the lowest working classes — miners, transport and dock workers. Moreover, the statement that all socialism leads to communism is patently false; **the fact is that no country with a Democratic Socialist government has ever gone Communist.** Finland, Sweden and Norway are so closely bound to the Soviet orbit there is hardly breathing space between them. Yet because, under democratic socialism, there are no dominating land-owning and industrial aristocracies, communism has never gotten a foothold. Most farmers own their own farms in Scandinavia, while in old Poland and Hungary few farmers owned their land — which is still true today in Italy. In Sweden the Communist vote is about 3 per cent — in Italy, nearly 30 per cent!

It is the Roman Catholic and Greek Catholic countries of Europe — Poland, Czechoslovakia, Bulgaria, Hungary, Yugoslavia and Russia, with their old aristocratic oligarchies — which have gone Communist, while Protestant Socialist Finland, Sweden, Denmark, etc., have remained free. All this must be borne clearly in mind if we are to understand what will be happening in Europe during coming months. For socialism, as a force quite separate from communism, will play a large part in the political life of each country.

Right Wing Crusade Hit by Hard Times

Its Director, Hargis, Blames 'Smear' by Liberals, Growth of Rival Groups

© New York Times News Service

Oklahoma City, Okla. — The Christian Crusade of the Rev. Billy James Hargis, a right wing organization, has fallen on hard times. Income has declined so sharply this year that almost half of the 50 man staff has been laid off and the rest have taken a 10% salary cut. The headquarters building in Tulsa has been sold. The organization is now renting space in it.

Hargis

Circulation of the group's monthly magazine has been cut almost in half to eliminate those who have stopped contributing. The magazine is in the red.

Plans for an elaborate new headquarters and a "cathedral" in Tulsa have been temporarily shelved

Income for the first seven months of this year was $396,000, compared with $470,000 for the same period last year. It is expected to fall well short of the annual income of $800,000 reached previously.

Hargis, 36, founder of the organization, disclosed these facts in a report to the annual convention, which ended this week. He elaborated on the report in an interview.

Hargis attributed the decline of the crusade to "smears" by liberals and, most of all, to rival groups that siphoned off financial support he might have received.

He said the growth of the John Birch society had also cut into the crusade's support.

The Christian Crusade was a fundamentalist religious movement when Hargis started it in Sapulpa, Okla., 17 years ago.

In recent years he has shifted its emphasis to "Awakening America" to the internal threat of Communist domination that he says he sees.

The crusade relies on contributions from citizens who hear Hargis' message and are moved by it to give the evangelist money to spread the alarm.

Hargis is heard on radio stations in 55 cities in the south, west and middle west. This also represents a cutback, of about 30%, from more affluent days.

However, the stations still include the mainstay, the 100,000 watt clear channel outlet in Monterey, Mexico, where his broadcasts began in 1954. Hargis reaches more followers over the station than all the others combined.

He also brings funds into the crusade's coffers with personal appearances, at which he warns with fervor of the Communist menace and then takes up a collection.

He said that on a recently completed "midnight ride" across 25 states with former Maj. Gen. Edwin A. Walker, he added 10,000 new names to the crusade's mailing list. The general lost his army post for trying to indoctrinate his troops with his political views.

Hate groups)

Goldwater Resents Rockefeller Remarks

© New York Times News Service

Washington, D. C.—Senator Barry Goldwater Tuesday said he felt that Gov. Nelson A. Rockefeller was using "the old Democratic technique of guilt by association" in attempting to identify him with the radical right.

Rockefeller said at a press conference in Albany Monday that he would not support Goldwater as the Republican party's nominee "if he were a captive of the radical right." The New York governor has previously criticized the conservative Arizonan for not disowning the support of right wing groups. The danger, he has said, is that "the radical right, which is a part of the Goldwater following, will be able to capture its leader."

"I'm not going to answer this sort of thing from Rockefeller," Goldwater said in an interview. "He's using an old trick which the Democrats have used against us for a long time, and I'm not going to fall for it."

Goldwater said he thought it would be helpful if Rockefeller, Senator Jacob K. Javits (Rep., N. Y.) and other critics would define what they meant when they spoke disparagingly of the "radical right."

"Unless they are talking about Fascists, or this little Nazi party over here in Arlington, all the other groups I know anything about are completely within their constitutional rights in advocating the kind of stand they do," he said.

"Are the professional anti-Communists, like (Billy James) Hargis' Christian Crusade out in Oklahoma, or the prosegregation people down south a part of the 'radical right'? If that's the case, it would seem to put anybody who is not an anti-Communist or who is an integrationist in the 'radical left' and that's absurd."

Even the John Birch society, he said, is within its rights in advocating the impeachment of Chief Justice Warren and the abolition of the income tax, although he disagrees with both objectives.

"But if I were a candidate," he said, "I wouldn't disavow their support on that account, any more than I would that of ADA—and I doubt that I would get either." (Americans for Democratic Action is a liberal, anti-Communist political organization, which usually supports Democrats).

Racial Unrest Based on Legacy of Hatred

Negro Leader Says This Helps Explain Temptation to Turn to Violence

By JUNIUS GRIFFIN
Of the Associated Press

"We are not something from 'Porgy and Bess' . . . we want to share equally with our white brothers—yes, brothers."

These are the words of Herbert Fielding, businessman and a leader of the Negro community of Charleston, S. C.

An official of the National Association for the Advancement of Colored People, Fielding prides himself on being a moderate. But he sums up the temptation to violence, to express old angers that many American Negroes feel in this summer of crisis. He says:

"The Negro is mad, not angry, but mad and filled with a hate he has nourished for almost a lifetime."

The feeling is echoed in the north as a Negro youth suddenly snatches a white woman's handbag and flings it into the street.

"I did it because I hate white people," he explains.

"Hate" Heard Often

You hear the word "hate" again and again as Negroes, packed into the ghettos of Harlem and Washington, try to articulate their feelings. In Savannah and Charleston you hear it, too.

In Columbia, S. C., a Negro talks of his "intense dislike" of the white man.

In Charlotte, N. C., a Negro says: "We dislike the white man, but he's doing better."

North and south, animosity is a palpable thing. In the south because the Negro feels the weight of "Jim Crow" laws, written and unwritten; in the north because he faces discrimination when he wants to get a job or live in certain neighborhoods.

Where did it all begin . . . and where will it end?

Hosea Williams, 37, militant head of the Chattam County Voters league in Savannah, said:

"We Negroes weren't born hating the white man. We have cultivated this hatred and nourished it for years hoping that one day he would make us ashamed of ourselves. But he hasn't . . . he has given us pride . . . pride to protest and if necessary to tell him to go to hell if he doesn't allow us full and equal opportunities."

Williams said he once worked for the NAACP.

"But I became too hot for them, or rather too radical. I don't believe in tomorrow. I want equal rights for my people now. If necessary, I intend to die in Georgia fighting for what I believe is right and to leave my children an honorable legacy," he said.

Just as Prideful

In Charleston, NAACP official Fielding delights in talking about the historic beauty of the city and its traditions.

"The white man's great failing here is that he doesn't know that his Negro neighbors are just as prideful, stubborn and sensitive about this great city as they are."

Speaking of the racial crisis, Fielding said:

"We are at the bottom, the end of the rope. The only way the Negro can go is up. And if we must fight to get there, both races will wear the battle scars for generations to come.

"From where I view the racial situation, I see us emerging with a victory. And I see the white man going down in defeat. With just a little sincere effort on the white man's part we can both leave the battle scene in victory, knowing that we have solved a century old problem through mutual effort."

The Rev. I. Dequincey Newman, NAACP state field secretary, foresees a long and bitter fight ahead for Negroes in Charleston and other parts of South Carolina.

Take Down Barriers

"If the white man had any sincere desire about ending this problem, he would take down the barriers of segregation and allow responsible Negro leaders to concentrate on preparing the poor and impoverished Negro for the role he is to play in our new society," Newman said.

In Columbia, Dr. Howard E. Wright, president of all-Negro Allen university, said: "The task of helping our students to face the realities of our times is just as important as sending them out into the world with an academic education.

Complexion Fights

"The racial tempo here is such that any incident in a downtown restaurant or store can cause our students to drop their books and take to the streets.

"It's too bad that I can't join them. I can't tell them that everything will work itself out. This would be a lie."

Negroes in Columbia and Charleston live in a caste system within their own race.

Negroes who have light complexions are disdainful of their darker brothers, so much so that often they do not worship in the same churches, frequent the same clubs, live in the same neighborhoods, or even speak to each other.

E Cedric Hart, publisher and editor of South Carolina's only Negro newspaper, said this intraracial color problem hindered the solving of the larger racial conflict.

"My attitudes are those of a militant person," Hart said, "but I refuse to use my newspaper as a militant mouthpiece for the NAACP and disgruntled persons in the Negro community until they unite for a common good and stop bickering among themselves."

"We Want Rights"

Charlotte, N. C., has eased racial barriers in hotels, restaurants, schools and recreational facilities, but still is plagued with racial problems in hospitals and in job opportunities.

Dr. Reginald A. Hawkins, a Charlotte dentist and ordained Presbyterian minister, says:

"I served in World War II and the Korean war and I have no intention of stopping my people's fight for equal rights. We want those rights now, not gradually . . . but now."

Dr. Emory L. Rann, a Charlotte physician and leading Negro moderate, has spoken against racial demonstrations.

"Our demonstrations have simply outgrown their usefulness," Dr. Rann said. "It is now time we started negotiating with the city council. I don't see what good we can now derive from an ugly incident which could occur during a demonstration."

Dr. Rann stands almost alone in Charlotte's Negro community.

In addition to the division between militant and moderates in the Negro movement for racial integrgation there also is a split between what Negroes call "ceremonial" leaders and others who are close to the pulse of America's Negro masses.

S. Summer Stone, jr., editor of Washington's Afro American, declares:

"We need leaders who will continue to meet this problem head on—courageous and valiant fighters for racial equality in America."

The Deepening Crisis

Irving Dilliard

Cafe Times 8/13/63

Exciting Books That Deserve Reading

By IRVING DILLIARD

CHICAGO — Summer supposedly is a time for "light" reading. But in view of the domestic problems that confront us in addition to those on the world scene, it is a fair question whether any of us can afford reading these days that does no more than kill time. Here are some new books that are more exciting than most whodunits— and certainly more worthwhile:

Dilliard

"The Far Right" by Donald Janson and Bernard Eismann (McGraw-Hill). Two able, experienced newsmen have a careful, thorough look at the strongly reactionery element in American life and politics. Here are Billy Hargis, Gen. Walker, the Minutemen and all others who would take the law into their own hands.

"Men of Far Right" by Richard Dudman (Pyramid Books). A talented Washington correspondent reports on the Goldwaters, Buckleys, Welches, Towers, Thurmonds, Dirksens, and their political kin as a "new force" in our country. He gives much attention to the John Birch Society and Australian Fred Schwarz' "crusade." Gen. Eisenhower is commended for his warning about the "military-industrial complex."

"I Write for Freedom" by Thomas M. Storke (McNally and Loftin). The 1962 Pulitzer Prize in editorial writing went to the editor and publisher of the Santa Barbara News-Press for lowering the boom on the Birchites after their scurrilous attacks on Chief Justice Warren, President Eisenhower, the Dulles brothers and other patriotic Americans. This book is Tom Storkes's story of more than 60 years of fearless newspapering, topped by his revelations against the character assassins.

* * *

Era of 1930s

"THE TEMPTING Years" by Edwin P. Hoyty (Scribner). The decade from 1929 to 1939 began with the economic crash and ended with Hitler's invasion of Poland. Those crucial, turbulent years are recounted in terms of events and personalities — Hoover, FDR., Joe Louis, Earl Browder, Charlie Chaplin and Gangster Dillinger.

"Franklin D. Roosevelt and the New Deal" by William Louchtenberg (Harper). This excellent volume in the Commager - Morris New American Nation Series places the New Deal in historical perspective and shows the origin and development of influences and programs which we live by a generation later.

"Freedom of Speech and Press in America" by Edward G. Hudon. (Public Affairs Press). A specialist traces the development of the law on free speech, press and movies, with emphasis on Supreme Court decisions. His work recalls the great studies of Zechariah Chafee.

"Commitment" by Willard Uphaus (McGraw - Hill). This Methodist lay leader, peace advocate and religious educator, in the tradition of John Bunyan, went to jail rather than compromise his conscience. His autobiography must bring a feeling of both pride and shame to every American who reads it.

* * *

Lehman Cited

"HERBERT H. Lehman and His Era" by Allan Nevin's (Scribner). One of the bravest men in our entire history is the former Governor and Senator from New York who called Joe McCarthy to account. Distinguished historian Nevins gives Lehman his full due.

"My Life" by Claude Bowers (Simon and Schuster). From his picture on life in a small Hoosier town in the 1880s through politics, newspapering on the New York World and diplomacy as well as a literary career, Claude Bowers left us a book of memoirs that is informative, instructive and delightful.

"The Miseducation of American Teachers" by James D. Koerner (Houghton Mifflin). This book indicts American school and colleges of education for doing more harm than good. If it can be answered, somebody ought to be answering it and in a hurry. The charges are serious.

"Strike in the West" by James Daniel and John G. Hubbell (Holt, Rinehart, Winston). The authors reconstruct the Cuban crisis so as to make a collected, exciting whole out of one of the central historical events of our time.

Challenge to Peterson

Cap. Times Aug 13, 63

New Democratic Leaflet Doubts GOP Birch 'Purity'

The first issue of the "New Wisconsin Democrat," a four-page newsletter which will go monthly to state party members, questioned the ability of GOP state chairman Talbot Peterson to really repudiate the John Birch society.

The newsletter, which is printed on slick paper and replaces the newsprint tabloid format used until now, also accused Republicans of blocking a fair legislative reapportionment.

Peterson, who recently said the Republican party has no room for the ultra-conservative John Birch society, was challenged to shed John Birch policies.

"We feel you (Peterson) have put yourself in an untenable position," the newsletter said. "On the one hand, you have said 'no room' for John Birch, while on the other, your party's domestic record and a goodly share of its record on foreign policy is at least dangerously close to Mr. Birch."

The newsletter also quoted James Buckley, deputy state Democratic chairman, as saying that the new Ninth Congressional district composed of Waukesha county and parts of Milwaukee county, is not the complete GOP stronghold many observers believe.

Buckley has been considering running as Democratic candidate in the new Ninth district in 1964.

yeah," he told a companion, "they're having the time of their lives. They get to come up here and see The Nigger."

For ten months, from that first riotous night to graduation day on Sunday, the role Ole Miss assigned Meredith was simply that—The Nigger. He was The Nigger through the first ugly month of jeers and threats and cherry bombs, through nine months more of stony isolation. He was still The Nigger even when a second Negro, Cleve McDowell, enrolled in law school last June.

Nice Guys: His life had been tougher and lonelier than Jimmy Hood's at Alabama. Denied quarters among married students, he had left his wife and 3-year-old son behind in Jackson. He could count his campus friends on one hand—a couple of liberal professors, a student from California who dropped by nights to help him with his trigonometry, and, lately, his roommate Cleve. "There are a lot of people here with good intentions," Meredith said. "A lot of them—most of them, in fact—are nice if there is nobody else around. If I'm in the library studying and there isn't anybody else around, they're the nicest people in the world. But if someone else comes in, they go to the other side of the room."

Yet Meredith endured what Hood could not—and more. At 30, he was ten years older. And unlike Hood, he is a loner by temperament—a solemn, proud, withdrawn man, unsettlingly so to Mississippi whites, opaque even to his friends. He came inured to the icy hostility about him: "Something like this is nothing new to a Negro." He grew impervious to danger: "Maybe a threat hanging over your head isn't so bad. It makes you get up off your tail and do the things you have to do."

It hurt more when Negroes turned on him for a speech he made at the NAACP convention in Chicago, a knuckle-rapping critique of young Negro activist leaders. That night, Meredith cried. But he has learned to live with that hurt, too. Though his eyes well up at the thought, Meredith understands that his loneliness is partly of his own making. "You're right," he said, when a visitor at Ole Miss suggested as much, "and I'll tell you something else—there aren't five Negroes in the world who understand me or what I have been trying to do."

Dreaming: The fact was that he had tried to do too much. But his dream —however quixotic—had helped sustain him. "The main object I had in coming here," he says, "was to change the basic relationship between whites and Negroes in Mississippi . . . to replace this basic governing principle of white supremacy." At first, he thought his presence alone might be the catalyst. In January, when he took stock—when he found himself in quarantine and still on campus only under armed guard—he thought of quitting.

But he stayed, and he scaled down his dream closer to one-man proportions. "Just having one or two Negroes at Ole Miss doesn't mean anything," he said. "I want to see 250 or 300 here. But the bulk of the people in Mississippi can't afford to go, and 90 per cent couldn't qualify if they could afford it." So, with the money that came in his daily bag of mail, he started the Meredith Education Fund to help Negroes—principally Mississippi high-schoolers—prepare for and pay their way to college. Meredith now plans to make it a full-time job, starting with a speaking and money-raising tour this month, hopefully building the fund to a $1 million operation, headquartered in Washington.

And so he endured, even when his schoolwork seemed to him—as it might to any undergraduate of 30—"just a job." At the end, Gov. Ross Barnett—who failed to keep Meredith from coming in the front door—tried one last time to shoo him out the back, demanding that his degree be held up for making "inflammatory" statements. But the state college board—nervous about Ole Miss's accreditation—turned him down. "I guess," Barnett said, "that ends it."

"To tell you the truth," James Meredith said after ten lonely months at Ole Miss, "I'm tired. I think if I had twenty hours more to go, I wouldn't make it." But with the end in sight, he was buoyant, willing to allow himself the luxury of a smile. "Just for this project," he said, "I feel I've done all I could do. I feel accomplished. I'm satisfied."

KU KLUX KLAN:

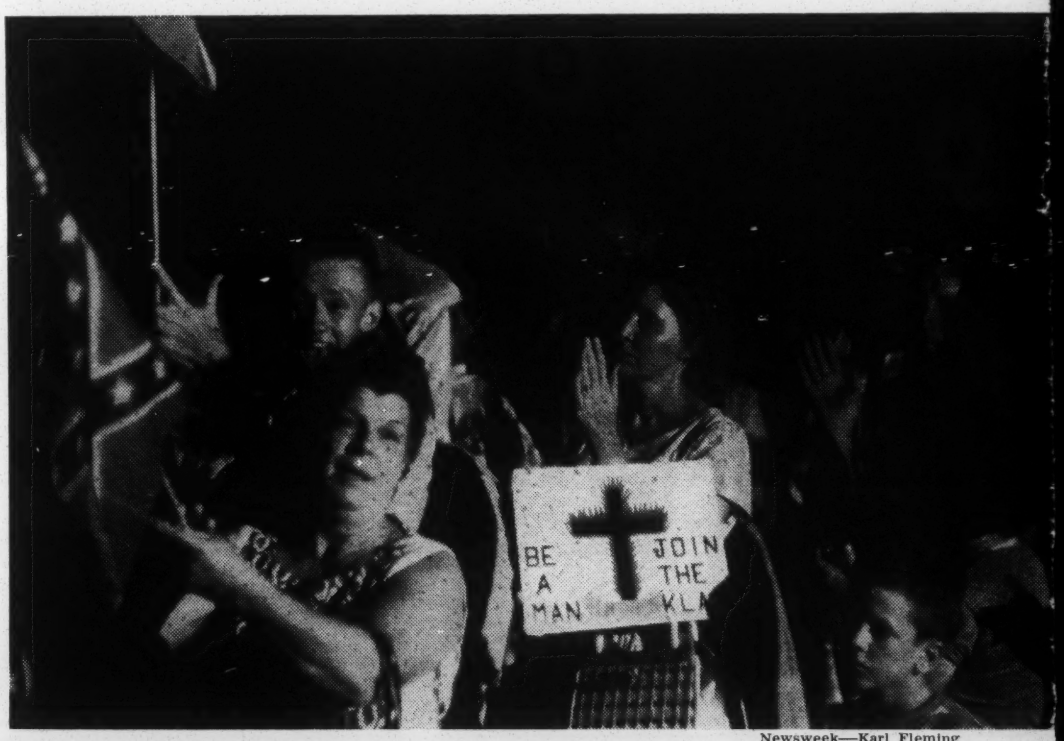
Button-Down Bed Sheets

"Let's be nonviolent," urged the man in the pulpit, and there was a spatter of applause from the 350 faithful gathered in the clapboard chapel in an oak grove outside Athens, Ga. In this summer of the Negro revolt, the way to win was peaceful protest—marches, sit-ins, boycotts, voter-registration campaigns, and, above all, a good public image.

"Let's be nonviolent," said Calvin Craig, Grand Dragon of the United Klans of America, Inc., Invisible Empire, Knights of the Ku Klux Klan. "We've got to start fighting just like the niggers."

That was the twist the Klan was turning across the South this summer—and selling hard enough to stir a small renaissance. The KKK had fallen far from its glory days of the '20s, when its roster numbered 4 million and—so the legend went—there was hardly a bed sheet south of the Mason-Dixon line without eyeholes. Now, according to the B'nai B'rith Anti-Defamation League's Atlanta regional office, the Klan has 40,000 to 55,000 subjects in an increasingly visible empire. But this summer, ADL said, it has enlisted 5,000 new members.

Its reputation tarnished by the flogging and lynching bees of bygone years, its racist thunder stolen by the white-collar white supremacists of the Citizens Councils, the Klan has become acutely conscious of what people might think. It hungers for respectability. It courts the press. "The purpose of this meeting is open to the public," Imperial Wizard



Newsweek—Karl Fleming

Rally in Savannah: The talk was heady but self-conscience

PAGE(S) PARTIALLY ILLEGIBLE

Robert Shelton proclaimed at the Empire's biggest recent pageant, a rally of 3,000 at Savannah, Ga. Later, Shelton—a former rubber worker from Tuscaloosa, Ala., who now travels about "Kluxing full time"—explained to NEWSWEEK's Karl Fleming: "You have got to have public relations. Our program is going to be on more of an informational basis."

Tactician: The new Klan flatters the unlikely likes of Martin Luther King Jr. by imitation. Sit-ins? Singling out the Athens branch of a cafeteria chain that had desegregated in Atlanta, Craig exhorted: "... You good white folks ... just go in there and get you a glass of water and just sit." Mass marches? "If the mayor doesn't stop these niggers from marching and demonstrating in Athens, then we're going to march and demonstrate too." Biracial negotiating committees? "We want the Klan to represent the white folks ... You don't ever have anyone but those left-wing liberals and niggers. The white people have been left out."

Some members find the new look too tepid. At a recent rally at an Augusta, Ga., auto race track, one parboiled Klansman simmered through a long, droning Shelton philippic about the Kennedys and Communist "infilteration" of the civil-rights movement and egalitarian clergymen: "It behooves me to see such large masses of these ministerial associations as they sit back and draft their resolutions . . ." Halfway through, the Klansman boiled over, slipped under the wooden grandstand, and got into a fist fight with a Shelton fan. "I didn't come out here to hear him talk about all this Communist stuff," he bellyached as a Shelton aide intervened. "Why doesn't he talk about the niggers?"

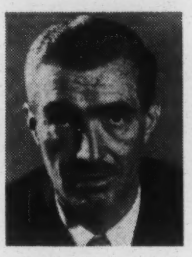
Eulogy: Klan old-timers, indeed, prefer a headier oratorical brew. At the Savannah rally, red-robed Georgia Kleagle Fonnie Miles eulogized the slain NAACP leader, Medgar Evers: "A certain jig down in Mississippi got himself killed—"

"Yeah!" whooped the crowd.

"—for sticking his nose in other people's business ... Why that's just another dead nigger, and that's the only good ones there ever is—the dead ones."

Yet even Miles was a mite image-conscious. "I know some of these press people are gonna say about me being illiterate because I say nigger," he said. "I guess they think I'm self-conscience about it. But I ain't."

The top leaders *are* self-conscience. Shelton and Craig have been circuit-riding the South in mufti, enlisting new members for a $10 Klektoken (initiation fee) and $1-a-month dues. Most of all, they have tried to wash the Klan image as bright as a freshly laundered bed sheet. "The Klan," Shelton says, "is not as derogative as you might think."



WASHINGTON

Recovering Congress

by Kenneth Crawford

CONGRESS stirred last week. There were manifestations of life both in the House and Senate. After more than seven months in a state of catalepsy, the legislative branch seemed to be coming around. An invigorating wave of cool, dry air out of the north may have had something to do with it. Predictions that the session would drag on into the Christmas season (and then fizzle out in futility) certainly did. Whatever the reason, committees long deadlocked began to make decisions, and bills long delayed began to make progress.

The crispness of Senate hearings on the test ban was enough in itself to give the Capitol new tone. Secretaries Rusk and McNamara were persuasive witnesses, knocking down objections as they came up, with certainty and tact. Backed up by chairman Seaborg of the Atomic Energy Commission and chairman Taylor of the Joint Chiefs of Staff, they dispelled whatever doubt remained about Senate ratification of the treaty by a majority well in excess of the two-thirds required.

Questions indicated that there would be a few holdouts, but probably not more than ten. Several senators seemed to be genuinely concerned about the possibility that the Soviet Union, in its last test series, had learned more about the effects of big bomb explosions than the United States knows or will be able to learn without further atmospheric tests. Others seemed to resent the success of the test-ban negotiations for political reasons. Senator Hickenlooper of Iowa, for example, said he knew what the treaty wouldn't do but not what it would do. Senator Goldwater took the same line.

MAIL FROM MOTHER

What they knew—and what every senator knew—was that cessation of testing by the big atomic powers would shut off the principal sources of noxious debris in the atmosphere and that this was what interested their constituents most. Congressional mail suggested that voters were quite willing to be uncertain about the effects of the Soviets' big bombs if their worries about the genetic effects of fallout from tests could be relieved. Much of the mail came from mothers of young children. This could account for the grumpiness of Hickenlooper and Goldwater.

While the treaty was winning the consent of the Senate, the House Ways and Means Committee at long last reported a tax-reduction bill. It had been working at this project almost since the start of the session, often with tantalizing slowness. The bill that finally emerged was shorn of most of the so-called reforms demanded by chairman Mills and Secretary Dillon and cut down to offset resulting losses to the Treasury. However, it would still provide almost $11 billion of tax relief for individuals and corporations, starting in 1964 and taking full effect in 1965.

TAX CUT LIKELY

In the opinion of President Kennedy's economic advisers, this will assure a high level of economic activity in the years just ahead although it will probably not, by itself, solve the unemployment problem. Public support of the measure has been surprisingly lackadaisical and Republican leaders Dirksen and Halleck keep predicting that it won't pass for this reason. But a 19-to-4 committee vote for its major features almost guarantees its passage by the House. And the Senate will pass it if it can get by Senator Byrd's Finance Committee.

The present plan calls for House action on taxes while the Senate is getting the civil-rights filibuster out of its system. Administration strategists are confident now that they can push through a civil-rights bill with some kind of public-accommodations section included. They confess concern, though, about the Aug. 28 "March on Washington," feeling that much will depend upon the impression made by the anticipated 150,000 demonstrators.

They expect a series of education bills, several already passed by one branch, to make it at this session. They also hope for a substantial foreign-aid bill, unpopular as they know it is. They concede that mass transport, medicare, and domestic youth corps legislation won't make it. Even so, this session can turn out to be respectably productive, after all.

PAGINATION INCORRECT

Political Memo from COPE

COMMITTEE ON POLITICAL EDUCATION, AFL-CIO
815 16th STREET, N.W.
WASHINGTON 6, D. C.

No. 18—63 Sept. 9, 1963

JOHN BIRCH HIGH COMMAND INTERLOCKS WITH OTHER RIGHTIST GROUPS TO FORM DIRECTORATE OF REACTION

On Pages 2 and 3 of this issue of the Political Memo is a chart which links the high command of the fascistic John Birch Society (center column) to other right wing organizations (left-hand column), and to business groups, government, universities and private corporations (all in right-hand column).

The chart is by no means complete, but its net effect is to show how the influence of the John Birch Society fans out. It shows that **the men who control JBS share control in other ultra-right groups.** It shows how close are the ties of some big industries to JBS and to the right wing at large.

The Birch Society was chosen as the subject of this chart because it is highly-organized, active and troublesome, more so perhaps than any other right wing organization. Many of its leaders, herein listed, are **"pillars of the community,"** industrialists, bankers, retired generals. They are mostly men of status, whose anti-labor, anti-progress views find an outlet in the press and other mass media.

It is impossible to trace all the lines on the chart. But with patience, good eyesight and the help of a ruler, most of the connections can be found.

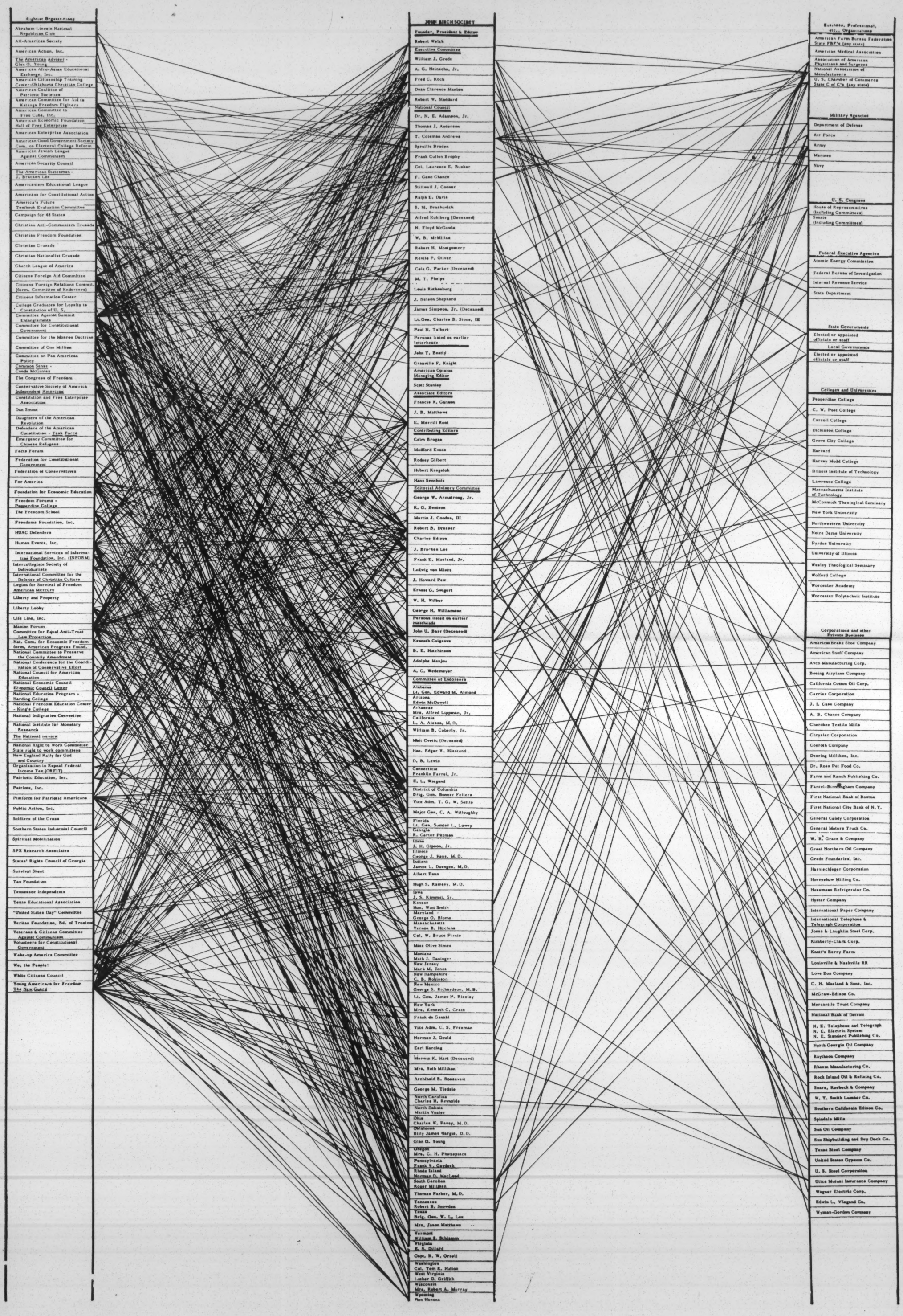
In the left-hand column are listed the most prominent of the rightist groups. Many of them were on the scene long before the Birch Society, but many are Birch fronts. The Birchers believe in using fronts. In fact, JBS dictator Robert Welch urges his followers to **"organize fronts—little fronts, big fronts, temporary fronts, permanent fronts, all kinds of fronts,"** for the Birch Society to hide behind.

One front Welch boasts of as a JBS promotion is ORFIT, the **Organization to Repeal Federal Income Tax.** This is the outfit behind the so-called "Liberty Amendment," which has been approved by six state legislatures.

The center column, listing JBS leadership, contains some of the biggest names of the far right. As the chart shows, their connections with other rightist groups are abundant. Among them are William J. Grede and Ernest Swigert (**former NAM presidents**), A. G. Heinsohn and Roger Milliken (union-hating industrialists), Fred C. Koch and Clarence Manion ("right to work" promoters), T. Coleman Andrews, Spruille Braden, F. Gano Chance, E. Merrill Root, Charles Edison, J. Bracken Lee, J. Howard Pew, Billy James Hargis, Gen. Bonner Fellers.

(Continued on Page 4)

HOW BIRCH SOCIETY IS LINKED WITH OTHER RIGHTIST GROUPS



(Continued from Page 1)

Among the big industries listed in the right-hand column are Avco Mfg. Co., J. I. Case, Chrysler Corp., Deering Milliken, General Motors Truck Co., International Tel. and Tel., Jones and Laughlin, Kimberly-Clark, Raytheon, Rock Island Oil, Sears-Roebuck, Sun Oil, U.S. Gypsum, U.S. Steel, a bunch of banks, textile firms and others.

Business groups listed are the Farm Bureau Federation, U.S. Chamber of Commerce, NAM and their state affiliates.

It adds up to a threatening picture: **Men of influence and community standing—many of them representing giant industries—are banded together in an organization dedicated to shattering trade unions and preventing social welfare progress.** This organization in turn interlocks with others with identical causes, forming a well-organized, well-heeled apparatus that is a threat to democracy itself.

JOSEPH ROURKE NEW COPE DEPUTY DIRECTOR

A veteran labor and political leader, Joseph M. Rourke, has been named deputy director of COPE by AFL-CIO President George Meany. Rourke succeeds Al Barkan who was recently appointed COPE director as successor to the late James L. McDevitt.

A member of the International Brotherhood of Electrical Workers since 1928, Rourke served as secretary-treasurer of the Connecticut Federation of Labor after World War II and retained the same post when the AFL and CIO merged in Connecticut.

He has served three consecutive terms in the Connecticut House of Representatives, formerly was a state senator and a New Haven alderman.

LIPPMANN SIZES UP GOLDWATER

"To the Senator (Goldwater), the federal government is a kind of **foreign power** which must be reduced and distrusted. (Goldwater's programs) are a **recipe for panic.**"—Walter Lippmann

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COPE Memo is published every two weeks by the Committee on Political Education, 815 - 16th Street, N.W., Washington 6, D. C. Subscription price $1.00 per year.

POSTMASTERS — ATTENTION. Notice to Publisher Form 3579 should be sent to C.O.P.E., 815 - 16th Street, N.W., Washington 6, D. C.

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No. 19—63 Sept. 23, 1963

MEANY WARNS OF RIGHTIST POLITICAL DRIVE IN '64, URGES ALL-OUT LABOR EFFORT IN CITIES, SUBURBS

AFL-CIO President George Meany has warned "the money and manpower of big industry and the right wing will be pumped into the 1964 elections in **unprecedented amounts** to elect conservative candidates."

In a kickoff address to last week's COPE Big Cities Conference, Meany urged delegates to offset the conservative drive by using "our natural advantage in the big cities and their suburbs. **We must register record numbers of union members,** their families and friends, and we must conduct a **massive get-out-the-vote campaign."**

About 80 delegates, representing the nation's 22 most populous metropolitan areas, attended the conference.

Meany said, "The outcome of the presidential and congressional elections next year will hinge on what we are able to accomplish in the major industrial cities and the fast-growing suburbs around them. Nothing can be taken for granted. **We can afford no illusions about the prospects for liberal victories in 1964.** Only if we get our members to register and vote can we feel confident of reasonable success."

He said, "We certainly must improve on past performance." He pointed out in 1960 only about **60 percent of union members voted** in the presidential contest, and approximately **50 percent voted** in the 1962 congressional elections. "This just about equals voting performance of the population as a whole, but we should do better."

Recent formation of conservative political action groups provides conclusive evidence that reactionaries are stepping up their political efforts in hopes of making 1964 a year to elect a Congress and a President who will **"turn back the clock on progressive legislation,"** Meany stated. Among such groups, he said, are the **American Medical Political Action Committee** of the American Medical Association, and the **Business-Industry Political Action Committee,** launched this summer by the National Association of Manufacturers.

Meany called on delegates to "redouble your efforts to increase the effectiveness of citywide register-and-vote drives, and to vastly expand the political participation of union members."

(Continued on Page 2)

(Continued from Page 1)

Also addressing the conference was political analyst Louis Harris who cited statistics showing the gap in voting performance between city-dwellers and rural and other non-urban residents.

Harris said in 1960 in New York State, **18 percent less** of the total number of urban citizens eligible to vote turned out than in non-metropolitan areas of the state; in Missouri, 15 percent; in Ohio, 11 percent; in Wisconsin, 9 percent; in Illinois and Minnesota, 7 percent; in Michigan, 6 percent; in California, 5 percent.

He said this lag in voting performance of city-dwellers **"costs hundreds of thousands of votes for liberal candidates."**

Harris predicted pivotal issues in the 1964 presidential race will be health insurance for the elderly, taxes, Cuba, civil rights, foreign aid and President Kennedy's handling of the economy. On all of these issues, Harris said, public support of the President's programs hovers around 50 percent, making them **"battleground" issues.** Issues working strongly for the President, he stated, will be defense, space, foreign policy, education, labor policies, Peace Corps and Kennedy's personality.

Agriculture, government spending and his handling of Congress will be issues on which the President may be vulnerable, Harris forecast.

Among other speakers at the COPE conference were James McGregor Burns, professor of political science, Williams College; Roy Reuther, citizenship director, United Auto Workers; Richard Scammon, director, U.S. Census Bureau; Rep. Frank Thompson (D.-N.J.); Rep. James O'Hara (D.-Mich.); AFL-CIO Sec.-Treas. William F. Schnitzler; Lawrence O'Brien, special assistant to President Kennedy.

Vice President Lyndon Johnson also addressed the meeting, commending COPE's non-partisan registration campaigns. Delegates capped the conference with a visit with President Kennedy at the White House Rose Garden.

42 MORE LOCALS EARN COPE HONOR AWARDS

Forty two more local unions have earned 1963 COPE Honor awards for contributing one dollar to COPE for every member. They are: **Ala.**—Birmingham, Furniture 384; Sheffield, IATSE 547. **Ark.**—No. Little Rock, Furniture 390. **Calif.**—San Diego, Furniture 577; San Francisco, Street & Electric-Auxiliary 1380-A. **D.C.,** OCAW 8-403. **Ill.**—Chicago, Upholsterers 9. **Ind.**—Portland, Furniture 320. **Iowa**—Des Moines, Rubber 310; Des Moines, St. & Electric 441. **Kan.**—Wichita, Packinghouse 687. **Ky.**—Henderson, Furniture 237. **La.**—St. Landry, Chemical 371; Tepetate, Chemical 191. **Mass.**—Everett, OCAW 8-4810. **Mich.**—Kalamazoo, Papermakers 1019; Petoskey, Furniture 419. **Mont.**—Pioneer, OCAW 2-443. **N.J.**—Long Branch, Rubber 439. **N.Y.**—Jamestown, Furniture 44; Leroy, Furniture 37. **N.C.**—Henderson, Furniture 265. **Ohio**—Cleveland, Brewery 164; Upholsterers 48; Akron-Auxiliary 2, Rubber; Sandusky, Papermakers 235. **Okla.**—Okmulggee, Aux.-OCAW 5-498A; Sapulpa, OCAW 5-330. **Ore.**—Portland, Furniture 1090. **Pa.**—Eire, Lathers 295; Frackville, Furniture 505; Lancaster, Furniture 520. **Texas**—Dallas, Stereotypers 87; Houston, Chemical 495; Chemical 497; Packinghouse 722; Rotan, Cement 74. **Wash.**—Seattle, Aux.-St. & Electric 587A; Spokane, Upholsterers 407. **Wis.**—Baraboo, Chemical 83; Milwaukee, Upholsterers 29; Whitehall, Packinghouse 693.

GOP PROS SEE GOLDWATER AS 1964 NOMINEE . . .

A majority of Republican party professionals see Sen. Barry Goldwater a **lead pipe cinch** to be the GOP presidential nominee in 1964, according to New York Times writer Cabell Phillips. Informed sources inside the GOP, Phillips says, claim Goldwater is a candidate despite his "Who, me?" disclaimers.

Goldwater has a stranglehold on GOP national convention delegations from **southern and border states,** as well as **southwestern** and **Rocky Mountain states,** Phillips says. Only in the northeast and Great Lakes states is Goldwater weak.

Party leaders, the Times reporter says, are willing to swallow Goldwater's ultra-conservative views. They feel whatever the outcome of a Kennedy - Goldwater presidential contest, with Goldwater heading the ticket, more GOP senators, governors and congressmen would be elected.

. . . AND A HUGE FUND BUILDS UP FOR GOLDWATER CANDIDACY

A bottomless well of funds apparently awaits Sen. Barry Goldwater's push for the presidency. Roll Call, a Washington, D. C., weekly publication, reports **$7.5 million** already is in the bank and another **$17 million** is pledged for use the moment Goldwater wins the GOP nomination, if he does.

Roll Call quotes one source on Capitol Hill as saying the Arizona senator **"can tap right in on Texas oil money,"** and there's little doubt that all the resources of **rich right-wingers** would be at his disposal.

BARRY'S BACKERS GET 'HOW TO WIN' BY CLOAK-AND-DAGGER PLOY

Reporter Jack Anderson, writing in Drew Pearson's Washington Merry-Go-Round column, reveals the Draft Goldwater Committee is secretly using COPE's **How to Win Handbook as its political guide.** He described the following cloak-and-dagger operation:

"F. Clifton White (Draft Goldwater director) was afraid to be seen at the AFL-CIO headquarters, lest he lose his standing in the Goldwater movement. So he sent an office girl to make the purchase (of the handbooks), cautioning her to use a phony name and office. She identified herself at the AFL-CIO as 'Jack Anderson's secretary,' then delivered the manuals to Goldwater headquarters."

The Goldwater folks don't just tear a leaf from someone else's book, **they use the whole thing.**

PASTORE QUESTIONS GENEROSITY OF AMA

The Senate recently passed a bill providing funds to aid construction of medical and dental schools and for low interest loans to students of medicine, dentistry and osteopathy. Before passage, the Senate rejected an amendment proposed by **Sen. Barry Goldwater** which would have killed the student loan section of the bill. Goldwater said the loan program was unnecessary since the American Medical Association already provides such loans.

But Sen. John Pastore (D.-R.I.) pointed out AMA loans are at the high interest rate of 6½ percent. **"That's how generous they are,"** Pastore said of the AMA.

GOP MEETING TO MAP DIXIE DRIVE

Republicans are marshalling their troops preparatory to an all-out drive into the south in the 1964 elections. A two-day strategy meeting, first of its kind ever held in the south by the GOP, is planned November 8-9 in Charleston, S. C. The Republican National Committee is sponsoring the meeting.

I. Lee Potter, special assistant to GOP National Chairman William Miller, is masterminding "Operation Dixie" and says prospects **"were never brighter"** for Republican success in the south. Party people have sprinkled Dixie with bumper stickers levelled at President Kennedy and his brother, Attorney General Robert Kennedy, bearing the message, **"Ban the Brothers."** Sponsored by the GOP National Committee, a special publication written for southern consumption is published, the Republican Challenge.

Potter claims the Republicans will win votes in the south on their appeals for **fiscal conservatism.** But it was only a year ago, the fall of 1962, when GOP candidates in two major elections—the Senate races against Olin Johnston in South Carolina and Lister Hill in Alabama —relied heavily for votes on **appeals to race prejudice,** with fiscal conservatism a distant second.

UNWAVERING WELCH NEW ALLY OF MEDICS

The professional medical politicians have found a staunch ally in their battle against health insurance for the aged. He is **Robert Welch, founder of the John Birch Society.** Welch was featured speaker at a recent meeting of the Los Angeles County Medical Association Section on General Practice.

In a letter to members announcing the meeting, the president of the group praised Welch for "espousing the cause of private medicine" and for his **"unwavering stand against bureaucratic contamination of the physician-patient relationship."**

Welch's "unwavering stand" is pretty expensive. It cost members of the medical group $10 a head to hear him.

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THE NERVOUS NETWORKS *an interview with* Howard K. Smith

Office memo

WHILE "word of mouth" has always seemed to us a graceless phrase, it best expresses the person-to-person link that has built the solid chain of loyal subscribers to *The Progressive*. A letter last month from Manny Mittler, San Francisco, is a dramatic example:

"I recently 'inherited' the June copy of *The Progressive* through the good graces of one of your subscribers, the Honorable Chester Bowles, the newly appointed Ambassador to India.

"I am a steward on the *SS President Cleveland,* a passenger ship which travels to the Far East every six weeks. Mr. and Mrs. Bowles were passengers on this ship from San Francisco to Yokohama on this last voyage as the first part of their trip to Mr. Bowles' post in New Delhi. I had the good fortune to be able to enjoy several short conversations with them and as a result Mr. and Mrs. Bowles learned that my ideas and attitudes were somewhat 'progressive' and subsequently gave me your very fine magazine.

"I found the June issue very enjoyable and every article, without exception, extremely informative, stimulating, and tremendous food for thought, as did several other members of the crew. One crew member is becoming a new subscriber. I will continue to purchase the magazine at newsstands. I am enclosing $1 for two copies of 'A Century of Struggle.' "

Thank you, Ambassador and Mrs. Bowles—and Mr. Mittler.

•

A perennial question that we enjoy hearing every autumn is, *"Do special student rates still exist this year?"*

Special rates for students, teachers, and adult study groups are still in effect, at the same low rates of other years. Where there are ten or more subscriptions going in a single bundle to one address, *The Progressive* is available for $1 per student per semester (five months).

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VOLUME 27 NUMBER 9

The

FOUNDED IN 1909 BY ROBERT M. LaFOLLETTE, Sr.

SEPTEMBER, 1963

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3 **THE TEST AHEAD** Editorial

5 **NOTES IN THE NEWS**

10 **THE FEDERAL UNION UNDER FIRE** Fred J. Cook

20 **THE NERVOUS NETWORKS** An interview with Howard K. Smith

23 **PROGRESSIVISM RECONSIDERED** Karl E. Meyer

27 **CLEARING THE AIR** James A. Wechsler

29 **THE DEPRESSED AREAS** Julius Duscha

32 **NEW IDEAS FROM AN OLD WORLD** Thomas W. Ottenad

35 **TINDER BOX IN THE DOMINICAN REPUBLIC** Sidney Lens

38 **EDUCATION'S INDUSTRIAL REVOLUTION** Ronald Gross

41 **THE RODIN REVIVAL** Alfred Werner

44 **THE PEOPLE'S FORUM**

46 **BOOKS**

THE PROGRESSIVE makes no attempt to exact complete conformity from its contributors, but rather welcomes a variety of opinions consistent with its general policies. Signed articles, therefore, do not necessarily represent the opinion of the management of the magazine.

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SUBSCRIPTION PRICES: U.S. and foreign—One year $5; Two years $9; Three years $12.

MANUSCRIPTS: The Progressive cannot assume responsibility for unsolicited articles and letters. None will be returned unless so requested and accompanied by stamped, self-addressed envelope. Printed in U.S.A.

PROGRESSIVE

"YE SHALL KNOW THE TRUTH
AND THE TRUTH SHALL MAKE YOU FREE"

The Test Ahead

SENATE RATIFICATION of the limited nuclear test ban treaty seemed certain as we were going to press in late August. The only questions that remained were the size of the victory margin and the extent to which the few avowed opponents and the more numerous "yes, but" school of Senators might try to nibble away at the treaty with destructive reservations.

The signing of the treaty by the United States, the Soviet Union, and Great Britain in Moscow on August 5, followed by its acceptance by more than sixty other nations, stands as the high-water mark in mankind's fitful quest for peace since the end of World War II. It represents the first concrete achievement in the long and painful struggle for international control of the atom since the dawn of the atomic age eighteen years ago. It constitutes the first major East-West accord on any issue since the signing of the Austrian State Treaty on May 15, 1955—a treaty, incidentally, the Soviets have honored with scrupulous care these eight tense years.

Much has been said and written during the past month on what the treaty does not do, and the list is long and formidable. It was nice to know that the Soviet band played George Gershwin's *When Love Walked In* as Soviet, British, and American officials gathered in the glittering ballroom of the Kremlin to toast the signing of the treaty, but no one thought for a moment that love and understanding had replaced their opposites in Soviet-Western relations.

Little love walked in when Senate committees conducted their hearings on the test ban treaty. In fact the Kennedy Administration, in its anxiety to appease and reassure Senate critics and doubters, kept emphasizing the enormity of our nuclear might and how much more we can achieve in weaponry through legal underground tests. Administration witnesses were so persistent in pounding at this theme that a listener at Senate hearings, *The New York Times* observed, "might be forgiven if he thought at times that what was under discussion was a proposal for intensifying both the arms race and the cold war." The test ban accord seeks just the opposite, of course.

The treaty agreement, banning all forms of nuclear testing except those underground, is a first step. No more. Its significance is more symbolic than concrete, although it would be a grave mistake to underestimate its very real benefits in reducing worldwide radioactive pollution of our planet and in slowing down the spread of nuclear weapons.

Herblock in The Washington Post

"As I Was Saying, A Test Ban Agreement Might Have Resulted in a Fatal Gap"

Although the treaty is severely limited in its immediate application, its authors hopefully planted the seeds for a more bountiful harvest in the future. Their aspiration for far greater goals was stated in the Preamble which asserts that the "principal aim" of the signatory nations is "the speediest possible achievement of an agreement on general and complete disarmament under strict international control, in accordance with the objectives of the United Nations, which would put an end to the armaments race and eliminate the incentive to the production and testing of all kinds of weapons, including nuclear weapons."

While reaching this glittering goal of general and complete disarmament may take a long time, it is clear that the test ban treaty opens the door to a series of intermediate agreements—some of which are even now under consideration—that could go far toward relaxing the fears and suspicions generated by the cold war. It was this note that President Kennedy struck when he emphasized that the underlying significance of the treaty was that "it may lead to further measures to arrest and control the dangerous competition for increasingly destructive weapons."

It is here, however, that powerful opposition is mobilizing. The President's determination to regard the treaty as only the first step in an ongoing process of peacemaking, rather than as an isolated prohibition of specific forms of nuclear testing, has set the stage for a bitter, basic struggle between those who believe in the urgent need for negotiated settlements with the Soviets, and those who regard negotiation as appease-

ment and coexistence as a Khrushchev trap for gullible Americans, and who are therefore committed to what they characterize as "total victory" over the Kremlin.

The "total victory" forces, bent on a far more aggressive foreign policy that could lead to nuclear war, reject the prospect of accommodation with the Soviets. They have not dared engage in a frontal attack on the nuclear test ban treaty. They know that it commands widespread support in the country and they are especially fearful of what they call the "mother vote" for peace. But they are much bolder in waging their open warfare against the Kennedy Administration's commitment to searching for the next steps in the pursuit of peace.

Thus, even before the conclusion of the Moscow meetings on the test ban treaty, the two leading Republicans in Congress, Senator Everett McKinley Dirksen, Illinois, and Representative Charles Halleck, Indiana, the minority leaders who make up the tiresome twosome of the "Ev and Charlie" show, opened fire on the Administration. Halleck denounced the "Kennedy Administration's deplorable history of concessions to the Soviet Union," and Dirksen asserted that "the President's departure from a policy of strength is a grave error that will come to plague America more and more if the new policy of coexistence is pursued."

More recently, Senator Barry Goldwater, who didn't seem to know where he stood on the treaty itself as we were writing this, expressed fear of what might follow ratification of the treaty. "One of the areas of gravest concern to us, as we consider the proposed limited nuclear test ban treaty," he said, "is the so-called next steps that will be taken on the basis of the treaty."

Perhaps the most revealing disclosure of the mood of those who fear further agreements with the Kremlin was reported by Chalmers Roberts, foreign affairs analyst for *The Washington Post:* "One Republican Senator commented that some of his colleagues fear the treaty may be just a beginning and that what they worry about is what might follow. For one thing, some worry about the economic effects of disarmament, if it should lead to that. For another, some worry that the treaty may be a prelude to closer Soviet-American relations, to 'peaceful coexistence' with the Communists in such areas as Eastern Europe and Cuba."

It seems to us inconceivable that United States Senators, who know better than the average citizen the destructive power of nuclear weapons, can be more fearful of "closer Soviet-American relations" and "peaceful coexistence" than they are of all-out nuclear war which, as President Kennedy told the nation, could destroy a minimum of 300 million human lives in less than sixty minutes.

The opposition to continuing negotiation with the Soviets springs in part from an inferiority complex—the fear that Khrushchev will outwit and outmaneuver us in any agreement reached. This is a preposterous position, given the history of negotiations over the last decade. The fear of next steps in negotiation is rooted, too, in the conviction that Communism is fixed and unchanging, that the ugly experiences of the past, and there have been many, make it impossible to consider accord in the future. But the record is clear that the Soviets have changed, markedly and in many ways in recent years, however wide remains the gulf between them and us. It was the late Pope John, in the celebrated encyclical he issued shortly before his death, who emphasized that the original concepts of a political movement may remain constant, but the movements themselves "working on historical situations in constant evolution, cannot but be influenced by these latter and cannot avoid, therefore, being subject to changes, even of a profound nature."

Interlandi in The Los Angeles Times

"Fallout from testing doesn't bother me, but if we vote against the test ban treaty, the political fallout next year could kill us"

The powerful forces mobilizing against further negotiated settlements with the Soviets contend that "total victory" over Communism is the only patriotic goal we can embrace, given the kind of world in which we live. Anything less than "total victory" involves the surrender of our principles of freedom to a nation whose philosophy and way of life are repugnant to everything we say we believe in. In other words, the alternative to "total victory" is "total defeat." This argument, about which we shall hear much the rest of this year and all through the campaign year of 1964, is shot through with fatal fallacies. Thus:

¶ Total victory over Communism can be achieved only through total war, which would mean the destruction of our way of life, along with that of the Communists'. The advocates of total victory are understandably shy about openly demanding all-out nuclear war, but they have offered no alternative approach to total victory.

¶ Historically, total victory has turned out to be neither total nor victory. The Allied powers achieved total victory in World Wars I and II, but victory in both wars created as many problems as it solved. More to the point, total victory for us in World War I was accompanied by the triumph of Communism in Russia and total victory in World War II was followed by the triumph of Communism in China. Will total victory in World War III, assuming survivors, result in the ascendancy of Communism in Latin America or Africa or both?

¶ The assumption that the only alternative to total victory is total defeat is simply not true. We have lived in the same world with Com-

munist Russia for nearly half a century and there is no reason to assume we cannot go on that way indefinitely without surrendering the principles of our democracy in any way. The alternative to total victory is not total defeat, but rather, as a beginning, the development of a live-and-let-live arrangement under which both sides yield enough to prevent the destruction of both.

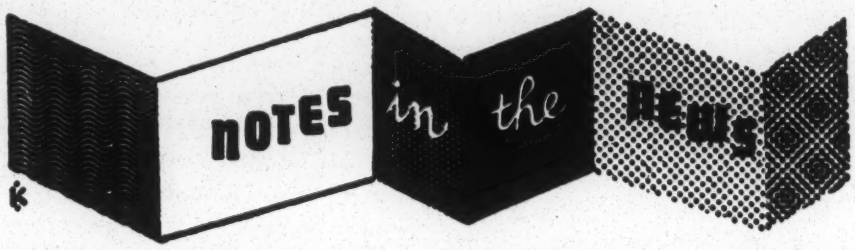
¶ Coexistence does not require that we modify our way of life to accommodate the Communists or that the Russians adjust their ways to suit us. On the contrary, implicit in the concept of coexistence is the certainty that struggle between the two systems will go on for a long time, but the struggle will be ideological, social, economic, and political—rather than military. Khrushchev has insisted that the conflict in the realm of ideology will continue no matter how many and how great are the agreements designed to relax tensions and prevent war, and the Kennedy Administration has cheerfully accepted the challenge on these terms. This is the difference between coexistence and coannihilation.

The real issue between the two civilizations, said Senator William Fulbright, chairman of the Senate Foreign Relations Committee, "will not be decided at the frontiers where they confront each other, but by what happens *within* each of the two societies." It is within our power, he added, "if we are wise and strong and patient, to shape our destiny toward the fulfillment of the highest values of our civilization while encouraging the forces of moderation and common sense that are by no means entirely absent from Soviet society."

Here is the heart of our problem—to develop *within* our own society the creative surge and progressive program that will enable us to demonstrate the superiority of our free way of life over the totalitarianism of the Communist system. This means democratic planning and action to abolish unemployment and poverty, wipe out racial discrimination, build better schools and homes and hospitals, expand our social security system, and provide greater cultural and recreational opportunities for all our people.

It is a curious and tragic fact that the same forces in this country that demand "total victory" over Communism are opposed to the very domestic programs which would enable us to win the only kind of victory that we can achieve in this nuclear age—a victory that demonstrates through what we do here at home that democratic planning is superior to totalitarian regimentation.

The big test ahead is what happens after the limited test ban treaty is ratified. The "total victory" crowd will demand an end to further "appeasement," their synonym for negotiation. The Kennedy Administration, if it does not, for political reasons, wander away from its present proclaimed position, will press forward to negotiate the next steps toward peace. In this effort it merits the all-out support of everyone of us. We find it hard to believe that many Americans will reject the concept of coexistence, with its underlying challenge to peaceful competition, in favor of the doctrine of "total victory," with its underlying acceptance of coannihilation.



A Refreshing Breeze

It is only in the true blue superpatriotic atmosphere of fear and timidity that constitutes the slowly-dwindling legacy of the McCarthy era that a concept as absurd as "overkill" can go so long unchallenged by the nation's leaders in Congress. The ability of the U.S. military machine to wipe out the Soviet Union many times over was achieved several years ago, yet the Pentagon, with Congress egging it on to ever-greater efforts, has continued to build a mounting stockpile of missiles and nuclear warheads. Today current overkill capacity is so great that our ability to destroy the Russians—and theirs to annihilate us—is estimated at several to more than a thousand times over.

The seeming lack of logic in pursuing this policy, and the growing danger it perpetuates, have been a source of grave concern to many Americans. But their political leaders have shied away from even an examination of the military value of overkill capacity. Congress all too frequently has rushed Pentagon appropriations through to passage without the semblance of debate or discussion, and, on occasion, votes to increase the astronomical demands of the military establishment. Now, at last, a voice has been raised in the Senate itself to question the efficacy of creating still more nuclear arms to add to "a stockpile of nuclear weapons in excess of any conceivable need."

Senator George McGovern, South Dakota Democrat who has not yet completed the first year of his first term in the upper chamber, dared ask the Senate recently: "Has the time not come to question the assumption that we are adding to defense and security by adding more and more to the nuclear stockpile?. . . . We need a thoroughly honest discussion and debate . . . about the basic postulates of our defense strategy." The courageous young Senator then followed up his sensible question with a practical proposal that to Congress is the equivalent of heresy: Senator McGovern suggested a $5 billion *reduction* in the military budget now under review, currently pegged at $53.6 billion—well over half of the total Federal budget.

The Senator made it clear that his proposal made no concession to a policy of "passive surrender" to Communism, which he rejects along with

the other extreme of a nuclear "preventive" war. Rather, McGovern contended that a reduction in arms production would strengthen the nation morally and economically, reduce the dangers of inadvertent war, and lead to a more stable world condition offering greater national military security.

Senator McGovern's challenge to the nation is a refreshing breeze in a stale smog of militarism. Coming in the midst of debate on the test-ban treaty, it strengthens the hope that the monolith of the military and the conspiracy of silence based on a false sense of patriotism may yet be breached.

No less a witness than the Secretary of Defense himself, Robert S. McNamara, has estimated that the first blows of a nuclear war between the Soviet Union and the United States would kill as many as 300 million people in the two warring nations and in Europe.

"It is very difficult," the Secretary told the Senate Armed Services Committee, "to conceive of what kind of military weapons would continue to exist. . . . It exceeds the extent of my imagination to conceive of how those forces might be used and of what benefit they would be to our nation at that point."

Why, then, asked Senator McGovern, should we continue to add to our surplus of nuclear weapons?

The Senator's answer to his own questions were that "we cannot afford this policy economically, politically, or morally, and if we persist in following it we will weaken our nation both at home and abroad. . . . What possible advantage can there be to the United States in appropriating additional billions of dollars to build more missiles and bombs when we already have excess capacity to destroy the potential enemy? How many times is it necessary to kill a man or a nation?"

Planning for Peace

Senator McGovern went beyond a critical examination of the military questions involved in overkill to the economic problems inherent in reducing arms production. He proposed that to minimize dislocation, facilitate industrial expansion, reduce regional dependence on the military market (one in three Southern California workers, to cite one example, is dependent on arms contracts), and to reduce unemployment, that these initial steps be taken:

¶ All large defense contractors be required to form a committee to plan for conversion from military to civilian production in the event of termination or reduction of defense requirements.

¶ The creation by the President of an Economic Conversion Commission to estimate Federal support that may be needed to supplement local and regional efforts.

¶ The convening by this Commission of a national conference to focus national attention on the problems of conversion and economic growth. The conference would include trade associations, labor unions, professional societies, representatives of government agencies, and industry.

It is clear that the American economy is in grave need of long-range planning to avert chaos if peace, or even a reasonable facsimile, were to break out. Ten per cent of our gross national product goes into military goods and services. Half of our scientists are involved in military-related projects.

Even today, as McGovern pointed out, this excess military emphasis hobbles our economy in many respects. American machine tool production, once the envy of the world, has skidded to fourth or fifth rank among industrial nations. The U.S. government finances sixty-five per cent of all research and development, mostly for military purposes, whereas in West Germany—a typical example—eighty-five per cent of research is privately-financed, nearly all for civilian purposes. Belgium, Holland, Italy, and Japan provide similar contrasts. The result is that the United States is steadily losing ground in world industrial competition.

Yet a recent survey by *The New York Times* revealed that defense industries are doing next to nothing in planning for conversion from war to peace production. When asked if they were doing any planning, the *Times* reported, "many contractors reacted with surprise and even shock, as if they were ice cream vendors being asked what they would do if children were abolished."

There is little immediate "danger" that arms production will be seriously curtailed. But there are enough straws in the wind, in the form of the test ban treaty and Defense Department admissions of excess nuclear baggage, to indicate immediate need for planning for the time when—and if—the threat of mutual destruction is eased and the American economy begins a shift away from arms production toward more constructive civilian pursuits.

Senator George McGovern, to his everlasting credit, has at least broken the long conspiracy of silence by his call for a rational re-evaluation of basic policies that have too long been placed outside the realm of debate in what its members are pleased to regard as "the world's most deliberative body."

Rich Man, Poor Man

Unlike water, money does flow uphill, to the top of the economic pyramid. During 1962 enough flowed upward so that 398 persons reported to the Internal Revenue Service that they had made at least a million dollars (the average was two million) during the year. This was ninety-two more million-makers than in 1961. With the IRS list at 398, only two short of Mrs. Astor's plutocratic and socially elite "Four Hundred," the buildup of new millionaires has been roaring along at the fastest pace since the Twenties.

This trend is bound to accelerate with the recently disclosed higher dividend yield accompanying the present record boom in profits. Not all dividends, of course, will go to those making at least a million dollars in 1963, and to the estimated 100,000 persons with assets of a million or more. But the one-eighteenth of one per cent of the population who are millionaires will get a bountiful share of the U.S. corporate profits now piling up at the incredible rate of more than $28 billion a year.

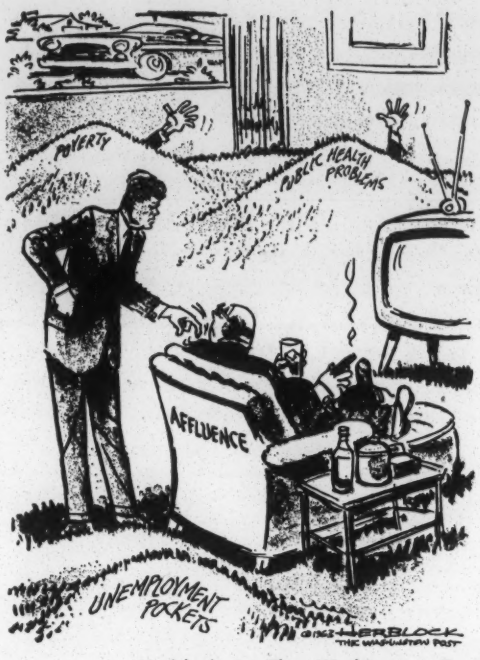
Some of the dividends will trickle *downward* through the economic strata, but not even the brokerage

house of Merrill, Lynch, Pierce, Fenner & Smith, the great Wall Street evangelist of common stocks for the common man, will be able to find enough traces reaching the poorest one-fifth of our nation to dampen a litmus paper. This neglected one-fifth, numbering more than thirty-four million Americans, lives at the lowest depths of poverty. Their incomes average less than $2,700 a year for a family of four. This estimate by Robert J. Lampman, consultant to the President's Council of Economic Advisers, applies to the desperately poor. What AFL-CIO economists call the "really poor" number forty-two million. Still other sources, government and private, using a higher figure as the poverty indicator, estimate the total at forty to fifty million.

These millions of the poor, struggling in their own grim world at the bottom of the economic pyramid, do not look upward for the torrent of dividends that have thrown Wall Street into ecstasy (mixed with complaints that the Kennedy Administration is bad for business). Their immediate ambition is to work for and get a decent wage. Among them are nearly all of the country's unemployed, some 4.3 million jobless, or 300,000 more than a year ago. Others are employed only part-time, or at full-time wages which are too low to feed, clothe, and house a family decently. In this nether world of the economic underprivileged, seven million are Negroes, eight and a half million are more than sixty-five years old, and several million are youths who are either now jobless, or likely to be, within the next few years.

The presence of these vast pockets of poverty in the midst of record-breaking affluence for those at the top of the economic pyramid does not seem to disturb the latter in the least. On the contrary, some of them seem determined to whittle away at the modest measures adopted by Congress to provide a tiny degree of opportunity for the poorest among us. To achieve this goal they have established still another activist organization on the extreme right.

With a kitty of $100,000 from the National Association of Manufacturers, a key directorate of top officials



Herblock in The Washington Post

Wall-to-Wall Under-the-Carpeting

from industry, finance, the utilities, and publishing have set up a new organization to elect more conservatives to Congress. The new group, the Business-Industry Political Action Committee (BIPAC), describes itself as the "new force in politics." It wants to "protect the principles of individual freedom" and "represent the competitive, free enterprise viewpoint." This old NAMese, translated, means less liberty, less competition, and even less Federal legislation to relieve the distress of those at the bottom of the economic pyramid.

BIPAC seeks members and contributions. No doubt many of the new millionaires will be allowed to rub shoulders democratically with old ones as they flock to the colors of BIPAC with their checkbooks. The phrase "new force in politics" has an almost proletarian sound, like a mass movement, and not at all like the cover for an old force that has been working in politics, and elsewhere, against the common man's needs throughout most of this century.

Trouble on the Right

The battle for cash supremacy between the Big Two of the ultra-Right rapidly approaches a climax. As of now it appears that the Christian Crusade, headed by the Reverend Billy James Hargis, will surrender first place to the John Birch Society of Robert H. W. Welch, Jr., before the year is out.

The income of the Crusade is now running at an annual rate of less than $700,000, compared to $760,000 in 1962 and $800,000 in 1961. If the Birch Society merely maintains its 1962 pace of $737,000 in revenues, it will wind up at least $37,000 ahead of the Crusade this year.

Things have been going so badly for the Crusade that the Reverend Hargis has been forced to lay off half of its fifty man staff and give the survivors a ten per cent salary cut. His broadcasts, once heard on radio stations in about eighty cities, have been pared down to fifty-five cities in the South, Midwest, and West. (He retains his powerful radio outlet in Monterey, Mexico, which reaches more of his followers than all the other stations combined.) His 75,000 circulation magazine has gone into the red. The Crusade's annual duespayers at $10 each now number only 3,500, a figure which sadly disappoints the Oklahoma crusader against "Communist infiltration." However, he insists his Operation Midnight Ride speaking tours across twenty-five states, with former Major General Edwin Walker as co-alarmist against a Red "take over" of the country, added 10,000 names to a mailing list claimed to total about 400,000.

Facing his crusaders recently assembled in convention at Oklahoma City, Hargis pleaded: "We need help and we need it desperately. Who will electrify this crowd by standing and pledging $10,000 for God and country?" No one did, but his audience finally produced six pledges of $1,000 voltage each, along with a number of lesser contributions.

The drop in the Crusade's income, now at a three-year low point, is ascribed by Hargis partly to "smears" by liberals but mostly to the fact that the Birch Society's growth has cut into his support, while other Right-wing groups are getting more numerous and siphoning off funds for themselves.

The money has been rolling into Birch headquarters in a way that

Hargis envies. Mr. Welch's Society has filed a report with the State of Massachusetts showing $737,716 income during 1962, compared to $534,214 in 1961, a handsome increase of nearly forty per cent. The Society has said it has 124 full-time employes but it has not disclosed its membership total. However, on the basis of total dues revenue officially reported, estimates are that the membership ranges from 12,000 to 24,000 members. More revealing than a breakdown of the nearly $300,000 in dues payments would be disclosures of some of the important sources of the other $437,000 in Birch revenues during 1962.

Despite its rosy financial position, all is far from well in Birch ranks. In two rare interviews Welch has admitted that the rate of membership growth has slowed. Moreover, a Harris poll in *The Washington Post* demonstrates that its immediate potential is not as great as some have thought. Of those interviewed who said they had knowledge of the Birch Society—representing seventy per cent of the populace—only five per cent said they approve, forty-two per cent said they disapprove, and fifty-three per cent said they were not sure. Even Americans who identify themselves as conservatives expressed opposition to the Society by more than four to one—eight per cent for, thirty-five per cent against, and fifty-seven per cent not sure. This repudiation by top heavy majorities among those who know about the Birch Society should give Welch solid cause for gloom these days.

A Ghost

THE continued existence of Morton Sobell is an offense to the things we hold dear. The things we hold dear are peace and quiet. Sobell, by his continued existence, leaves us none.

If he were dead and buried—like his "fellow-conspirators," the Rosenbergs—we'd have peace and quiet. If he were free, we'd have peace and quiet and never hear of him again. (He's no genius as a scientist.)

But alive, and thirteen years in prison, and seventeen to go, he torments us.

With the Rosenbergs he was convicted on disreputable testimony—there was no evidence—at the peak of the McCarthy panic in the Korean War. They "gave the atomic bomb to the Russians," said the judge; and now we know that the Russians had the basic "secrets" in 1940—before we had them.

If the Rosenbergs had confessed, they'd be alive; clemency by telephone was available to them even in the death chamber. (Ten years later the Circuit Court of Appeals held that their trial was unfair under, alas, the present interpretation of the law.) If Sobell had confessed (like the state's witnesses), he'd be free and (like them) in clover.

But the criminals didn't commit the crime—indeed, as we know now, nobody did—so they wouldn't confess. And Sobell won't. He was kidnapped by "persons" acting secretly for the United States government. He was falsely accused, falsely tried, falsely convicted, and falsely imprisoned—all by the due process of law. The Supreme Court has never reviewed the record.

There's new evidence, and no way to get it heard. Mr. Kennedy turns his courageous profile away from his executive power. The parole board—without saying why—refuses a parole after the most competent possible witnesses testify that Sobell is an ideal candidate for it.

This living ghost of McCarthyism haunts us from his cell and shames our pretense that *we* are different from *them* because the state exists for man in our society.

Morton Sobell is no great shakes. Neither were Sacco and Vanzetti. We made them great. We can unmake Sobell, and deprive him of his power to torment us, only by freeing him. But then the Rosenberg case will break wide open again.

Do we dare? Do we love our country? Do we love it enough to want to set it free from its shame? The address of the Sobell Committee is 940 Broadway, New York 10.

—THEOPHRASTUS SUCH.

Exporting Greed

A significant segment of the drug manufacturing industry is up to its price-fixing, profiteering tricks again, but this time there is a new twist to the shenanigans which could seriously undermine our relations with Latin America.

The minister of public health of the poverty-ridden South American country of Colombia had entered into an agreement with McKesson & Robbins, one of the larger U.S. pharmaceutical firms, for the purchase of low-cost drugs and antibiotics, to be provided under generic rather than under high-cost brand names. The health minister has estimated that four-fifths of Colombians are too poor to buy these essential medicines at the list prices quoted by other American manufacturers. Even at prices far below those charged by competitors, McKesson has reported that it is earning "very satisfactory profits." But the greedy competition was determined to block the McKesson arrangement.

The Colombian government has produced evidence that a number of leading American drug firms met and formulated plans to enlist the support of the U.S. government in an effort to prevent the distribution of the low-cost drugs. The Senate Subcommittee on Antitrust and Monopoly, under the chairmanship of the late Senator Estes Kefauver, conducted an inquiry whose conclusions sub-

stantiated the Colombian charges. But to head off a formal investigation of the activities of the drug makers, the Kefauver Subcommittee's case was transferred to the Senate Foreign Relations Committee, which in turn recommended that the matter be turned over to the Justice and State Departments, where it now rests, in a sort of limbo.

The irony in the situation is that Colombia's only practical alternative to the McKesson arrangement for low-cost generically-labeled drugs is a government-owned drug-manufacturing monopoly which would freeze out private competition entirely.

Many of the same drug companies involved in the Colombia affair were recently found guilty by the Federal Trade Commission—after five years of legal maneuvering—of fixing prices on an antibiotic whose sales run to $100 million a year. The avaricious companies, whose margin of profit is almost twice the national industry average, were characterized by the Commission as acting "with unclean hands and bad faith."

So far, Congress has not been willing to enact the kind of legislation necessary to prevent the drug industry from stealing the American consumer blind. Now that the industry is trying to export its monopolistic practices overseas, damaging the Alliance for Progress in the process, perhaps Congress could be persuaded to take a fresh look at the drug industry's rapacious practices.

Estes Kefauver

Back in those dark days of 1954 when McCarthyism was riding high, liberal Democrats in the Senate panicked at the prospect of being branded "soft on Communism." To prove their patriotism and appease McCarthy they sponsored a bill to outlaw the Communist Party. The stampede to support the measure was one of the saddest scenes in the Senate in our generation. The vote for passage was eighty-one to one. The lone dissenter was Estes Kefauver. His friends and staff had pleaded with him not to vote against the bill; it would be political suicide, they warned. But Senator Kefauver refused to be a party to the rampant hysteria in the Senate. He went it alone, as he had before and would again. And he proved that courage and integrity are not necessarily fatal handicaps to a successful political career.

The tragic death of Estes Kefauver at age sixty silences one of the most persistently authentic voices for progressivism heard in the halls of Congress in our time. Although soft-spoken, patient, and relaxed, the tall Tennesseean was a driving, relentless crusader for the underdog in our society. Although not a great orator—his delivery was dull and his content riddled with cliches—he managed to reach the people far more effectively than many a more eloquent orator.

Senator Kefauver first gained national renown through his investigation of organized crime and its corrupting effects on public morality, but it was his later work as chairman of the Senate Antitrust and Monopoly Subcommittee that proved most productive and is likely to be most enduring. In his role as champion of the consumer against monopoly power, he conducted deep-going investigations into price-rigging in steel, automobiles, bread, electrical equipment, and drugs. His inquiries led to enactment last year of legislation controlling the marketing of drugs and in 1961 helped to expose and break the price conspiracy in the electrical machinery field.

A Southerner, Senator Kefauver did not flinch in the struggle for civil rights. He took no part in Southern filibusters against integration measures and he risked the wrath of his Dixie colleagues—not to mention a substantial portion of his constituency—by refusing to sign the Southern Manifesto calling for massive resistance to desegregation.

We of *The Progressive* will miss not only his significant contributions to the development of a new American progressivism, but we shall miss, too, his warm personal friendship. He was a devoted admirer of this magazine. Each year at Christmastime he gave several dozen gift subscriptions to his friends. Every time we asked him to do an article, he cheerfully assented, no matter how burdened he might be by the wide-ranging pressures on his time.

Perhaps more than any of his colleagues, Estes Kefauver was the "Senator of the People." It is they who have lost a constant friend and indefatigable champion.

The New Leader

Last month we published in these columns a commentary on testimony presented before the Senate Foreign Relations Committee in its investigation of paid lobbying by American firms for foreign interests. One of the Committee disclosures cited was a statement by Hamilton Wright, Jr., who with his father operates a public relations firm that numbers Chiang Kai-shek's Republic of China as one of its principal clients. Wright testified before the Committee that his firms had contributed $3,000 to *The New Leader* for publication of an article by Richard L. Walker regarded as friendly to Chiang's Nationalist regime.

A subsequent statement by *The New Leader,* made public soon after we had gone to press, denied Wright's allegation. Arrangements to publish the Walker article, *The New Leader* said, "consisted of the American-Asian Educational Exchange's agreeing to purchase 10,000 copies of the Walker study for private distribution, thereby making its publication possible." It was with Marvin Liebman, executive vice-president of the American-Asian Educational Exchange, a non-profit foundation, that Wright dealt, not *The New Leader,* and the magazine has denied having had "any knowledge of the Wright organization, or any involvement it may have had with the American-Asian Exchange."

"Moreover," *The New Leader's* statement continued, ". . . the Wrights never saw a copy of the Walker manuscript before its publication . . . Dr. Walker's paper . . . was originally prepared in 1957 as a Rockefeller Brothers Fund Special Studies Project . . . [which] gave him [Walker] permission to publish it. . . ."

While our report in the August issue was accurate as far as it went, we are glad to be able to present a more complete version based on *The New Leader's* statement.

The Federal Union Under Fire

by FRED J. COOK

Three Constitutional amendments whose total impact would weaken the Federal union, imperil progressive legislation, cripple civil rights and liberties, and perpetuate minority rule, have achieved an extraordinary degree of approval in a number of state legislatures in the first round of the struggle to make them the law of the land. Fragments of the story of this organized assault on our Constitutional system have appeared in a number of publications, but they have lacked many of the essential ingredients of the whole story. The Progressive *assigned Fred J. Cook, a seasoned reporter-investigater, to dig deeply into every phase of this dangerous development. He was aided in his extensive researches by a grant from the Stern Family Fund. Mr. Cook is a free-lance writer whose major magazine work has appeared in* The Nation; *he has also written for* The Reader's Digest, American Heritage, The New York Times *Magazine,* Comet, Saga, *and others. He has won four major awards for the excellence of his magazine articles.*—THE EDITORS.

ON JULY 27, 1962, delegates from twelve Southern states met in Biloxi, Mississippi, for a conference that was to have far-reaching effects. It was a conference that was to stimulate a racist, ruralist, right-wing attempt at counter-revolution in America. It was a conference that was to develop a unique power-play of national dimensions, a play directed from the top by a group of powerfully placed legislators, supported by reactionary business and rural interests, whooped on by adherents of the lunatic fringe; a play that at its inception could boast virtually no grass-roots demand or support, but that, if successful, would alter drastically the American system of government by stripping away Federal power, instituting state supremacy, and reducing the nation to little more than a confederation of states.

This was the program, mapped tentatively at Biloxi, that has only now, more than a year later, generated a mounting measure of alarm by its phenomenal success—a success that has seen three proposed radical-right amendments to the Constitution speed through the legislatures of a broad cross section of states. One proposal has received full approval in fifteen states and partial approval in five others; another, full approval in twelve states and partial approval in seven others. The spadework begun at Biloxi has, so far, tunneled its destructive way into, or through, more than half the state capitols in the Union.

The Southerners who met at Biloxi, all officials of Southern states, were attending a regional conference of the Council of State Governments. They were possessed by a states' rights fervor which John C. Calhoun might have envied. Many elements contributed to this state of mind. Southern politicians long had been alarmed over a Federal power that reached down into their states and threatened their stubbornly-maintained racial primitivism. Ever since the U.S. Supreme Court's unanimous school desegregation decision in 1954, they had been in covert or open rebellion. Now, in 1962, they had a new case, a new cause—one that presented them with a golden opportunity.

In March, the Supreme Court in *Baker vs. Carr*—the Tennessee reapportionment case—had made another landmark decision. Many states, dominated by rural political machines, had ignored the specific mandates of their constitutions to reapportion legislative districts to keep up with shifts in population. This failure to redistrict legislative seats continued through an era that has seen America change from a predominantly rural economy to one so overwhelmingly metropolitan that it is estimated eighty per cent of us ultimately will be living in cities. Tennessee had ignored this change; it had not reapportioned its legislature in sixty years. As a result, it had virtually disenfranchised hundreds of thousands of city voters, maintaining a "rotten borough" system in which rural influence was predominant. It was this system, common across the land, that the Supreme Court struck down in *Baker vs. Carr.* The Court ruled that when legislatures failed to correct such serious distortions of voting equality, the Federal courts themselves could reapportion legislative districts. It was a ruling that could topple rural and small town dominance of legislatures in the South and other regions. Implicit in *Baker vs. Carr,* if carried out in full measure, was the naked threat of extinction to every rural political

oligarchy in the land.

This new "court crisis" gave Southern politicians a rare opportunity to join forces with legislatures in every region in a common "resistance cause." Southerners had been toying for years with the hope of forming such a new power base. Alone, they had recognized their helplessness, but they had long dreamed of fusing Dixie with the Midwest farm belt and the Mountain states in a rural-oriented complex that could counterbalance the voting power of the great industrial states. This, essentially, had been the dream of Senator Lyndon Johnson in his abortive campaign for the Democratic Presidential nomination in 1960; it remains the gleam in the eye of Senator Barry Goldwater as he looks hopefully to 1964. In *Baker vs. Carr* the Southerners found a fulcrum with which to lever national political action, and the evidence demonstrates that the more perceptive among them seized the opportunity.

The Biloxi regional meeting adopted two important resolutions. The first asked Congress to draft a Constitutional amendment forbidding the Federal courts to interfere in reapportionment cases. The second cited a long list of grievances, replete with condemnations of Federal judicial power. It called for a strict separation of Federal-state powers, demanded judicial restraint, and appealed for legislation to curb the authority of the Federal judiciary. The two resolutions formed, in effect, a states' rights manifesto. The Southerners, having adopted them, looked for a base of support. They set their sights on the annual conclave of the influential National Legislative Conference, to be held in Phoenix, Arizona, in September, 1962.

Step by step there now developed the inside power-play that was to lead to the launching of three drastic Constitutional amendments. One would so alter the method of amending the Constitution that the states could propose and ratify amendments without any participation by Congress, by legislative action on the state level with no national forum to focus and crystallize public opinion. The second would deny the Federal courts any jurisdiction over the apportionment of legislative seats. The third, and most radical of all, would create a Court of the Union, composed of the chief justices of the fifty states, with power to overrule the U.S. Supreme Court in all cases involving Federal-state relationships.

Such was the explosive package for which the fuse was to be lighted by the Southerners when they moved on to the next stage of their power-play in Phoenix.

To understand the sequence that now unfolded, one must first appreciate the interrelationships and the interlocking power of a number of organizations of legislators and state officials.

At the pinnacle is the Council of State Governments, a thirty-year-old agency maintained by the states. Its objectives are to improve state procedures, further cooperation in solving interstate problems, and improve Federal-state relations. Since it is the one permanent, functioning body in its field, it also serves as a secretariat for a number of other loosely affiliated organizations.

Two of these were to achieve special importance in the developing amendment drive. The first was the National Legislative Conference. This is composed of two elements: staff personnel who work for state legislative bureaus or committees, and legislators and other elected officials who serve as members of permanent or interim committees directing such personnel. The second organization is the General Assembly of the States. This is composed entirely of state officials and legislators. The Assembly meets biennially, its convention details arranged by the Council of State Governments, to discuss state problems and the relationships of the states to the Federal government.

Herblock in The Washington Post

"If You Don't Like This Situation, You Can Cast Your Twentieth of a Vote Against It"

Even a cursory examination of this interlocking chain is revealing. It is obvious that although the bases for membership in the various organizations differ slightly, their directorates, which are dominated by important legislative leaders, often overlap. This enables an inside power complex of extreme conservatives in the National Legislative Conference also to exert influence on the General Assembly of the States and to a marked degree on the highly prestigious Council of State Governments itself.

Certain other vital aspects of these organizations must also be noted. First, though they have a quasi-official prestige, they are not truly official nor truly representative. The word "delegates," when applied to attendance at their conventions, has meaning only in the loosest sense. Anyone who qualifies for membership is entitled to attend. There is no formal selection of those who should attend; the only determining factors are private desire and financial means. As a result, attendance is likely to be composed principally of axe-grinders who have been supplied with either public or private resources to get to the site of the grinding.

A spokesman who has observed from inside the mechanics of these interrelated groups puts it this way:

"Most state legislatures tend to be quite conservative, and usually it is the more conservative of these conservatives who attend the meetings. It is the old story. Those who are passionately *against* something, those who are really wrought up, are the ones most likely to show. The good guys, the lofty idealists, you might say, tend to be less well-organized, and they don't charge into the breach until the

damage has been done and a crisis is at hand."

In 1962, the normally strong conservatism of these legislative conventions was intensified to an ultra hue by states' rights pressures, especially by the emotions aroused by *Baker vs. Carr*. This was the nettle in the minds of some 750 state legislators and officials from forty-six states who gathered in Phoenix for the three-day convention of the National Legislative Conference held September 19-21. One observer, who watched the delegates in action, has provided this description:

"It is important to remember that members of the state legislatures felt themselves most affected by *Baker vs. Carr*. As a group, they certainly felt changes were going to affect them personally—*things were going to be done to them*. There had been, of course, for some time, a large amount of underlying criticism of Supreme Court decisions, but it was *Baker vs. Carr* that crystallized resentment into action at this particular time."

Definitely, says this observer, there were strongly organized groups within the conference who knew exactly what they wanted and were determined to get it. He explains that he does not mean radical right organizations like the John Birch Society. The wheels were set in motion by highly-placed men, jealous of their own prerogatives. The Southerners, in their segregationist fervor, were a dynamic force but they were only part of a national coalition, which powerful leaders had been assembling for months.

From as unlikely a state as New Jersey (heavily industrialized, in 1960 the second state in the nation in population density) came a delegation as united in purpose as any delegation from the South. Its leaders were Assemblyman Frederick H. Hauser, a Democrat from the declining one-time Hudson County stronghold of the late Boss Frank Hague, and Senator Wayne Dumont, a Republican from Warren County, and in 1961 an unsuccessful contestant for the state gubernatorial nomination against President Eisenhower's one-time Secretary of Labor, James P. Mitchell. The *Baker vs. Carr* decision had shaken Dumont. Though the limits of the newly-proclaimed Federal power were still to be defined by future court decisions, Dumont, a lawyer, read into it a declaration of *carte blanche* authority on the part of the Federal judiciary to revamp the entire legislative membership of the states.

What most disturbed him was the prospect that the Federal courts might order reapportionment of the state senates, as well as the lower houses, on a strict population basis. The present New Jersey Constitution, adopted in 1947 by popular referendum, provides that each of the state's twenty-one counties shall have one senator and that each county shall also have a minimum of one assemblyman, with the remaining seats in the lower house apportioned on the basis of population.

"We have built into our Constitution a system of checks and balances," Dumont says, "and if you do not have such a system in the legislature, the smaller counties will never get any legislation passed. A few large counties like Essex [Newark] and Hudson [Jersey City] would dominate everything, and out here we would be lucky if we even got crumbs. People who want to base everything on population may be idealists, but I'll say one thing—they've never served in a legislature. If they had, they'd soon have found things don't work that way. You have to have bargaining power."

It should be noted that Dumont's fears may not have been exaggerated, for on July 17, 1963, a three-man Federal court, in the first action of its kind in the nation, reapportioned both houses of the Oklahoma legislature on a strict population basis.

"If this is what is going to happen, the counties will lose their political identities completely," Dumont says. "Any red-blooded individual who is going to let that happen to him is nuts. And I mean that literally."

In Phoenix, he found other state legislators whose views were virtually identical with his own. "Everybody was aroused about it, and we all felt the same way," Dumont says. "I have never seen all the states so united on anything."

The issue came up for discussion on the last day of the Phoenix conference. The original intention of the Southerners, reportedly, had been to get the conference to endorse the Biloxi resolutions, but, instead, a change in strategy was adopted. The conference passed a resolution of its own, entitled "Strengthening the States in the Federal System." The resolution cited the "increasing concentration of power in Washington" and instructed the Conference's Federal-State Relations Committee "to prepare a report exploring a clear-cut approach" to a method of amending the Constitution through action initiated by the states. The committee was instructed to report its recommendations at the next meeting of the General Assembly of the States in Chicago in December.

The ball had now been passed from the meeting of Southern delegates at Biloxi to the National Legislative Conference, from the Conference to its Federal-State Relations Committee, and the next step had been charted—the step by which the committee would trigger action in the General Assembly of the States and the influential Council of State Governments.

With the end of the Phoenix conference, one comes face-to-face with a key figure in the amendment drive—Representative W. Stuart Helm, Republican Speaker of the Pennsylvania House. Helm was chosen chairman of the National Legislative Conference at Phoenix. He was also second vice-president of the Council of State Governments and, as such, a member of the Council's executive committee. As Legislative Conference chairman he had the power to appoint the members of the Federal-State Relations Committee that would draft the amendment proposals. In these overlapping capacities, W. Stuart Helm was highly influential, with the power to initiate action and to influence the reception given that action.

Speaker Helm comes from a declining rural-industrial region. His

home is in Kittanning, in Armstrong County, about fifty miles from the Ohio border. He has been a member of the lower house of the Pennsylvania legislature for twenty-four years, is now its fourth oldest member in length of service, and is serving his second term as Speaker. He began his career operating a service station, but for the last twenty years he has been employed by the Sun Oil Company, which is controlled by the Pew family, long noted as bankrollers of Republican and right-wing causes. Now an executive in Sun Oil's merchandising division, Helm exhibits considerable sensitivity about intimations that, because he works for Sun Oil, he is in reality only a mouthpiece for Pew interests.

"I'm employed by Sun Oil, yes, but that's as far as it goes," he insists. "Every year when the legislature meets, I take a leave of absence from my job for several months while the legislature is in session. I've been very careful about that. I don't want anyone to say that there's a conflict of interest."

Obviously, Sun Oil is honored at having on its payroll the Speaker of the Pennsylvania House and, patriotically, does not mind the sacrifice it must make in depriving itself of his services for several months each year so that there may be no conflict of interest.

Helm, now in his fifties, stands close to six feet tall, has a pleasant, slightly sharp-nosed face and thinning gray hair that gives him a distinguished look. He is proud of his staunch conservatism. Drew Pearson, he says, called him a "liberal" conservative, and he bridles at the tag. "I don't know where he gets anything liberal about me," he says. "I've always been a strict organization Republican which, in my understanding of it, tends to be more on the conservative side. I'm certainly no ADAer."

Helm discusses the amendment drive with apparent candor, yet he is sometimes far less candid than he appears. For instance, asked how the idea was born, he responded emphatically:

"I can tell you exactly. We have this committee, a subcommittee of the Conference on Federal-State Relations. This committee came up with these ideas at a time when the Conference was not in session. This was following the National Legislative Conference at

Long in The Minneapolis Tribune

"We're Gettin' Up A Little Party to Show Yuh Our Appreshiation"

Phoenix. Since we were not going to be in session, we had provided that any recommendations made by the committee should be submitted to the Assembly of the States meeting in Chicago in December . . . and that was how the whole thing started."

This is at best a deceptive oversimplification. Helm insisted he had never heard of the Biloxi meeting; he even made the astounding statement that the amendment issue had not even been discussed at Phoenix—indeed, had *never* been discussed before the National Legislative Conference. "We didn't discuss it at Phoenix, and we haven't discussed it since," he said. "We have had no occasion to"—a statement that is only technically correct from the viewpoint that specific amendments had not yet been drafted at the time of the Phoenix meeting. The actual proposals, of course, were the work of the committee that Helm named to do the deed.

"The men on the committee were appointed because they were all men I knew," Helm says. "I called them or wrote them—in most cases I called them personally, but in some I wrote letters—and asked them if they would serve, and they agreed."

Subsequent evidence reveals that Helm knew his men well; for of the nine-man committee he appointed, eight were militant advocates of the amendment. Since it was in this Helm-named committee that the deed was done, the identification of its key members becomes important.

Its chairman was Assemblyman Lloyd W. Lowrey, of California, who had begun his career as a teacher but had spent the last thirty years farming and livestock raising. Though elected as a Democrat, Lowrey in recent years had been considered as anti-progressive on most legislative issues. Those who know him rate him an ideal presiding officer for Helm's committee—a man with a definite bias, but one who would consider his role almost judicial and would try to be fair. He would not lead; he would preside and rule—and, though he would strive for fairness, his own personal slant would weight his ruling on any sensitive issue.

With such a chairman, committee sparkplugs would be needed to fire the work, and there is no question Helm found them. All accounts agree that the principal sparkplug was William V. Chappell, forty, a former Speaker of the Florida House and a man deemed in Florida political circles to be a radical rightist. During a special session of the Florida legislature in 1956, Chappell was a leading spokesman for die-hard segregationists sponsoring a series of racist bills, some of which would have closed the Florida schools. Some Florida newspapers have labeled Chappell and his political cohorts "the Pork Choppers" from North Florida and have editorially denounced a favorite scheme of theirs to resurrect the so-called Blindfold Bill. This would set up two slates of unpledged Florida electors in the next Presidential election, in effect depriving the electorate of any real choice.

The Florida interests, with Chappell as their moving spirit, were to become dominant in drafting and pushing the amendments. But they received major assistance from at least one Northern legislator—Warren Wood of Illinois. Wood, born in Joliet in 1910, represents Will County, south of Chicago. He is vice president of the Union National Bank and Trust Company of

Joliet, and with banking he combines farm management. He served four terms as Speaker of the Illinois House, and in 1959 became minority leader. A power in the Illinois legislature, his political philosophy is reflected by what is perhaps his best-known quote—that the Tenth Amendment to the Constitution "has been raped twice a day for ten years." The most radical and controversial of the three proposed Constitutional amendments, the Court of the Union proposal, is the brain child of Warren Wood.

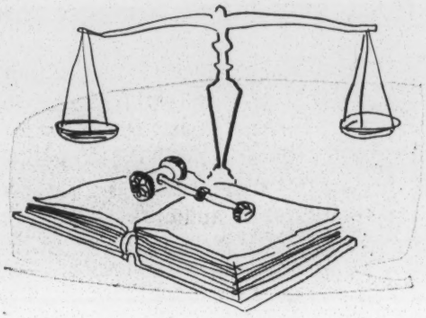
Other pro-amendment members of the committee, all active in backing one phase or another of the proposals, were: James Turman, then Speaker of the Texas House, later to be defeated in a contest for the post of lieutenant governor; Thomas D. Graham, Speaker of the Missouri House; Robert D. Haase, Speaker of the Wisconsin Assembly (he at first substituted for and later succeeded Speaker David J. Blanchard following Blanchard's death); Clarence L. Carpenter, President of the Arizona Senate, soon to be elected first vice president of the Council of State Governments; and Assemblyman Hauser, of New Jersey.

This was a solid, conservative phalanx. The ninth committee member and lone dissenter was state Senator Frank King, of Toledo, Ohio, a liberal Democrat with a pro-labor background. King himself is mystified as to how he came to be chosen. He had not attended the Phoenix meeting, but he had served for several years on the executive board of the National Legislative Conference, he was well-known to many delegates, and he suspects that, since his views were not definitely known, a wrong guess was made in his case. Helm gives a different explanation.

"Originally, King wasn't on the committee," Helm says, "but then someone said that we were loaded with members who were all for the amendments and we should get all shades of opinion, we should hear all sides—and so we asked him to serve."

This passion to hear both sides did not extend to the point of setting up an even debate; Frank King was left alone to battle eight opponents.

The National Legislative Conference's Committee on Federal-State Re-



lations met in Chicago two days after the 1962 general election. It had before it as a working base, according to Senator King, the resolutions that had been adopted at the Biloxi conference in July. The purpose was to rework these resolutions and put them in the form of specific proposals to be submitted to the General Assembly of the States.

The drafting committee began work early in the morning, labored throughout the day, and did not finish until late at night. Frank King was appalled by the determined and, to him, radical attitude of his conferees.

"That fellow from Florida, Bill Chappell, was loaded for bear," King recalls. "He brought a whole delegation with him, judges, lawyers, constitutional experts. Any question that came up, he had an expert there to answer it. They were well-financed, well-prepared; this was an expensive operation, no question about it. But where the money comes from—that's the $64 question you can't get an answer to."

King still sounds baffled, a man wrestling with extreme frustration, when he tries to describe his attempts to talk sense to his fellow committee members. He could find no possible meeting of minds.

"Take Warren Wood, for example," King says. "To sit down and have dinner with him, he impresses you as a very decent sort, a likable guy. He's not the starry-eyed, fanatical type at all. But he has this twist to him. He thinks that something drastic has to be done to save the nation, and he's ready to do it if he has to die for it. A lot of these fellows seem to really believe it. They don't seem to realize that the very things they advocate would ruin the nation they say they're ready to die to save."

By the time the day's work was done, the three amendments had been whipped into virtually final form. The strategy of the proponents called for the various state legislatures to pass three resolutions calling upon Congress to summon a Constitutional Convention. This procedure, though provided for in the Constitution, and intended as an avenue for the states to offer Constitutional changes, has never been used in our history by the required two-thirds of the states. There are virtually no guidelines for the organization and functioning of such a convention. Clearly, however, if two-thirds of the legislatures passed the proposed resolutions, the same rural-dominated bodies could handpick the delegates to dominate the convention. Such a convention, if ever called, could dismember the basic structure of the governmental system created by the Constitutional Convention of 1787. Here are the proposed amendments:

One—This amendment calls for a radical addition to the methods of amending the Constitution. It provides that whenever the legislatures of two-thirds of the states—thirty-four—pass identically-worded resolutions, Congress would be compelled to deem such amendments proposed. Then, ratification within seven years by three-fourths of the legislatures—thirty-eight—would make such amendments the law of the land. This procedure would make it possible to by-pass Congress in the amendment process and raises the prospect (as, indeed, was soon to be demonstrated in the amendment drive) that powerful, conservative insiders in the state legislatures could maneuver passage of such amendments before the public knew what was happening. Commenting on this amendment, the American Civil Liberties Union warned that such a step might make it "possible for such basic rights as freedom of speech and religion, the privilege against self-incrimination, the right to jury trial or other freedoms in our Bill of Rights to be removed from the Constitution by a minority point of view."

Two—This amendment is designed to maintain rural control of legislatures in perpetuity. It would prohibit the Constitution "or any amendment thereto" from restricting or limiting "any

state in the apportionment or representation in a state legislature." It would also bar "the judicial power of the United States" from ruling on any case involving "apportionment of representation in a state legislature."

Three—Warren Wood's Court of the Union proposal would set up a super-court, composed of the chief justices of each of the fifty states. Within two years after any ruling by the U.S. Supreme Court involving Federal-state relations, a demand by the legislatures of five states, "no two of which shall share any common boundary," would be sufficient to bring the Supreme Court's decision before the new super-court for review. The decisions of this new Court of the Union would be "final" and could be changed "only by an amendment to this Constitution."

With this package virtually completed, the Council of State Governments was asked to place the amendment issue on the agenda of the General Assembly. It complied. The amendment-drafting committee met once more, in Chicago, on December 4. This was a brief session, devoted to a final review of the previous month's handiwork. The committee, on this second look, liked what it had wrought and ordered its proposals printed for presentation to the General Assembly.

The climax now approached, and the insiders had one more move to make. The Board of Managers, ruling body of the Council of State Governments, was meeting in Chicago on December 5, the day before the General Assembly's convention. If the amendment proposals could go before the Assembly with the Council's august blessing, their chances would be greatly enhanced. And so an effort was made to gain the endorsement of the Council's Board of Managers.

This time, Brevard Crihfield, executive director of the Council, carried the ball. In his annual report to the board, Crihfield minced no words. In explicit terms, he denounced the *Baker vs. Carr* decision.

"The Supreme Court," he said, "has planted both feet in the political jungle. To me, the only surprising facet of *Baker vs. Carr* and its aftermath is the relish with which some Federal courts have wielded their now-declared power to tell the states what they shall do—or else. . . .

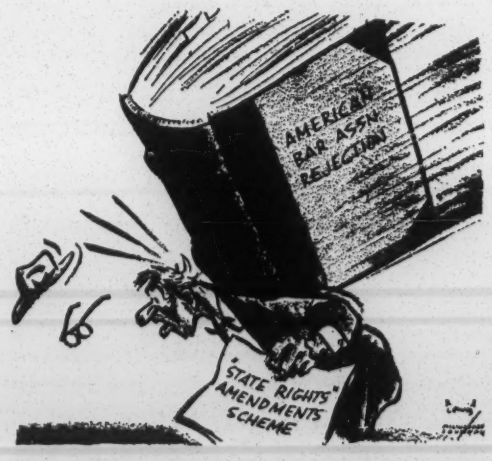
"What can be done? We can wait, wring our hands and hope that subsequent Supreme Court determination of specific issues . . . will perhaps leave some small area within which the states can retain authority over basic apportionment policies. Or we can decide to take a stand . . . "

Crihfield left no doubt about what the stand should be. "We must have close to unanimous state agreement," he declared, "if the states are to be successful in initiating any amendments to the basic law of the land."

This all-out endorsement by Crihfield has caused considerable trauma within the Council of State Governments itself. Even now, months later, responsible Council spokesmen will try to tell you that Crihfield's words did not really mean what they seem to say—that he was not recommending action, merely explaining the problem. Crihfield himself, however, is entirely candid about his position.

"You will notice," he said, "that I said nothing in my remarks about Amendment three [Warren Wood's Court of the Union proposal]. I will say that on the other two my remarks supported those, and I still do."

This, then, was the position of the powerful executive director of the Council, backed by support in the Board of Managers, for Helm, Lowrey, and Carpenter were all members of the board. Despite this, the board did not take a position on the issue. It simply passed the hot potato to the General Assembly of the States.



Lewis in The Milwaukee Journal

Legal Opinion Asked For — and Rendered

It is intriguing to note that up to this point, except for the Southerners at Biloxi, no organization in the circle had irrevocably committed itself. The National Legislative Conference, since it was not meeting (and would not until late this summer, in Honolulu), had not formally ratified the work of its committee. The committee's work had been reviewed by the governing body of the Council of State Governments, but this body had not committed itself either. Yet, despite this lack of full commitment, the ideas germinated at Biloxi had been steered through the channels of command by deft manipulation and were now ready for the General Assembly. And, significantly, though the Council's top board had not taken a stand, Crihfield's report, fully supporting two of the three amendments, was placed in the hands of all Assembly delegates.

These delegates, it turned out, needed little stimulus. When they met on December 6, it quickly became apparent that many were aroused and angry men. As usual, it was the axe-grinders who had taken the time and spent the money to attend, but this year, incensed by *Baker vs. Carr,* there were more and angrier axe-grinders.

"I wouldn't want to call this mob action, exactly," says an observer, who was there in an official capacity, "but it was certainly mob hysteria. There was nobody actually foaming at the mouth, but they were certainly wrought up."

Frank King agrees. Once more he found himself a lone voice. The speakers' platform was packed and so, seemingly, was the audience. The Florida delegation, sensing a Twentieth Century Bull Run, had turned out in full force. "There must have been a dozen or more of them," King says, and this time they had brought with them a real rabble-rousing voice—that of Millard Caldwell, former governor, now the state's chief justice.

Florida newspapers have written that Caldwell, as governor, was virtually the patron saint of the Pork

Choppers. In the 1960 Florida gubernatorial campaign, *The Miami News* criticized him for his "medieval philosophy" and commented bitingly on a "pinko" smear he had employed, characterizing his remarks as "pine and palmetto McCarthyism." Excerpts from some of Caldwell's public speeches seem to justify the appellation. He had bitterly criticized a 1944 Supreme Court decision opening Democratic primaries to Negro voters in the South; he had called Harvard "the rallying ground of the bleeding hearts," and Princeton "the center of egghead internationalists." He had seen Russia, thanks to American camp followers, winning "the first rounds of the cold war and unless those of us who are concerned for the future get busy, they can win the hot war." In a speech distributed by Fact Finder's Forum, an ultra-right organization, Caldwell had heaped ridicule upon all liberals as "do-gooders" and "bleeding hearts," and by some weird distortion of history had concluded that "Hitler and Mussolini are extreme examples" of what is produced by this type of thinking.

Caldwell, with his racial bias, his anti-intellectualism, his conspiracy view of modern history, was virtually the archetype of the radical rightist, and it perhaps says much for this convention that it was Caldwell who was to be its most persuasive voice. All sources agree on Caldwell's dominant role. Frank King gives what is, of course, a highly personalized version of events, but one that agrees in its essentials with the views of other observers.

"The segregationists were in the van," King says. "Unless you had seen and heard it, you wouldn't believe that it could happen and that you were in the United States of America. I never heard such nonsense. They had some real spellbinders; they would shout and rant—and then they'd wave the flag. It was well-staged, well-planned, and there was practically no opposition. I made a speech against it [the package of states' rights amendments]; I told the delegates that all it was, was a bald-faced attempt to perpetuate ourselves in office, regardless of the welfare of the country. But the whole thing had caught the delegations, most of them, flatfooted. They had only the vaguest idea what it was all about, and in these circumstances, you know, some of these glib-tongued birds can make you believe almost anything the first time you hear it. And they certainly had the glib-tongued birds, especially that former governor of Florida."

An observer at the session agrees with King. He points out that copies of the amendment proposals were not available until the day the Assembly met. The insiders, of course, knew what was going on, but other dele-

gates had little opportunity to study the amendments, to ponder their real significance. And Caldwell was the William Jennings Bryan of this convention. "I know he swayed at least half-a-dozen states," this observer says. Strikingly enough, Wayne Dumont of New Jersey gives an identical estimate. "I know that Caldwell influenced at least half-a-dozen votes on the Court of the Union proposal," he says, "and remember it only passed by one vote."

In this atmosphere of passion, frenzy, and rank-and-file ignorance, the amendment resolutions were whipped through the General Assembly. They were "brought out, read, debated, passed all in two hours," one informant says. "We usually take longer to pass courtesy resolutions."

The first proposal, to change the amendment process, gained the approval of thirty-seven states; four opposed and four abstained. Twenty-six states favored the reapportionment ban, but ten opposed and ten did not vote. On the Court of the Union proposal, twenty-one states were in favor; twenty opposed; and five did not vote.

The insiders had won their major victory.

With the amendments endorsed, the next step was to get action in the state capitols. Once more, the inside power-players called on a strategically placed group in which they wielded potent influence. This is still another state organization, called the National Conference of State Legislative Leaders. It is composed, as the name implies, of top-level leadership, the presidents pro tem of the Senates, the speakers of the lower houses, the majority and minority leaders of both bodies—the dominant officials in every legislature. The General Assembly called upon these key leaders "to lend their good offices in seeking favorable state legislative action" on the amendments.

This organization of state legislative leaders had been organized in 1960 with financial help from the Richardson Foundation. The foundation, representing a Vick chemical fortune, in recent years has poured $532,880 into the Foreign Policy Research Institute of the University of Pennsylvania, and the result has been the promulgation of a hard right-wing doctrine in foreign affairs, expressed in the ridiculously simplified imagery for the nuclear age that ours is not the lot of peace but the sword. On the domestic front, the Richardson Foundation had been sufficiently interested in the National Conference of State Legislative Leaders to bestow upon it $10,000 "to enable the Conference to perfect its organization . . . "

Other traces of ultra-right enchantment with the amendment proposals soon became evident. Early in 1963, *Human Events,* the Washington news sheet that is one of the principal bibles of the far right (it also prints and distributes the hard-right Congressional voting index of Americans for Constitutional Action), devoted major space to an article explaining the wonders of the proposed amendments. The exposition was prefaced by a ruled box, reading: "*Human Events* suggests that you write your state legislators to back these amendments. With vigorous action, they can be passed." Shortly afterwards, when the reapportionment amendment was introduced in the Texas legislature, copies of *Human Events* were widely circulated in both houses. The legislature passed the amendment with virtually no discussion, with no one even explaining its purpose.

The amendment push was now getting into high gear, and to keep it rolling still another organization was formed, one whose origins and finances remain something of a mystery. It was called the Volunteer Committee on

Dual Sovereignty, and its chairman, by the strangest of chances, turned out to be none other than W. Stuart Helm. Helm gives this explanation of the birth of the Dual Sovereignty Committee:

"Since the National Legislative Conference had taken no official action, we felt we couldn't come out and back the proposals on behalf of the Conference. We felt that the best way they could be promoted would be to form a separate, volunteer committee to work for the proposals. They called me and asked me if I would serve as chairman. At first I said I wouldn't, but then I agreed, only with the specific understanding that there should be no official connection with the National Legislative Conference."

"Who were the 'they' who called you?" Helm was asked.

"Well," he said, "the men who were leading the fight for these proposals."

He identified them as Chappell, Warren Wood, and "that fellow from California who was the chairman of the committee." The name of Lowrey, whom Helm himself had appointed, seemed to escape him, but when his memory was jogged by mention of Lowrey's name, he indicated that the formal request for him to accept another chairmanship had come from Lowrey.

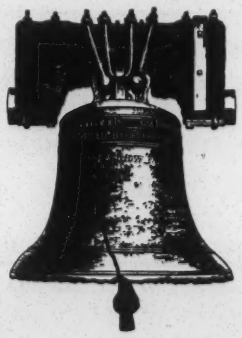
So the Dual Sovereignty Committee was created, with six vice chairmen assisting Helm. These included four members of the original drafting committee—Chappell, Wood, Hauser, and Haase. Two new names were added—Republican Lieutenant Governor Harold H. Chase of Kansas, and J. D. McCarty, Democratic Speaker of the Oklahoma House. Since Helm was chairman, the Dual Sovereignty Committee listed itself as operating from Harrisburg, Pennsylvania, but actually its literature began to bear a Tallahassee, Florida, postmark. For it was in Tallahassee that the committee established a novel public relations setup.

There, in a cubbyhole office tucked away under a staircase in the State Capitol, a thirty-seven-year-old former newspaperman, George Prentice, set up shop. After leaving the newspaper profession, he had established his own radio and television bureau in Florida, had run into financial difficulties, and finally wound up as public relations man for House Speaker Mallory Horne, of Tallahassee, another close political associate of Chappell.

Prentice says that he was asked to coordinate the effort to pass the amendments "in December" after the General Assembly had endorsed them. His principal functions have been to contact state legislative leaders to urge introduction and passage of the amendments—and to try to keep the movement from being tarred by open involvement with racist and Birchite groups.

"We had some strong approaches from the White Citizens Council of Mississippi and the National Citizens Council, but we have not taken advantage of their offers," Prentice says. "If they want to support the amendments, that's their business. But we don't want our purposes linked with theirs."

Prentice insists that no money has been spent on lobbying. This may be true, since the entire movement is geared to operate from the top, through the close personal ties of powerful legislative leaders. Even so, news releases, long-distance telephone calls, and salaries require quite a bit of money. Prentice's own salary comes to $1,000 a month, he says, and he has one secretary whose salary is paid by a generous Florida state government. In an interview with *The Miami Herald,* Prentice estimated that the total cost of his Dual Sovereignty promotion comes to about $1,500 a month, and he added: "My salary is paid primarily by the Dual Sovereignty Committee. Only about twenty-five per cent comes from the Speaker's office."



This statement doubtless will come as a shock to W. Stuart Helm. For in Harrisburg, when asked the vital question—where the money was coming from—Helm declared with great emphasis: "We have *no* money, *no* organization. We haven't a nickel. We don't spend any money promoting the amendments because we don't have any money to spend. Prentice is a public relations man for the Speaker of the Florida House, and whatever he gets paid, he gets for his services as a public relations man to the Speaker. We haven't paid him a dime."

Obviously, the gentlemen should get their stories straight.

Such was the behind-the-scenes picture when the amendment drive began to produce astonishing results in the late winter and spring of 1963. State after state, in rapid-fire sequence, began to approve one or another of the amendments. Only then, at a late, late hour, was there any genuine public awakening and opposition.

Two legal experts, Arthur J. Freund, of St. Louis, and Professor Charles L. Black, of the Yale Law School, were first on the battle line. They corresponded about the amendments soon after they were proposed in Chicago, and Professor Black, in a stinging article in the *Yale Law Journal,* led the attack. He labeled the proposals "radical in the extreme" and argued that they were aimed "not at the preservation but at the subversion" of our governmental system.

"They constitute, collectively, one more attempt, so late in the day, at converting the United States into a confederation . . . , " he wrote. "The wisdom of peace and the sacrifices of war alike warn against starting down that ruinous road."

Analyzing the proposed changed method of Constitutional amendment, Professor Black argued that it would be "easily possible for a proportion of the American people no greater than that which supported Landon in 1936 to impose on the rest of the country any alteration whatever in the Constitution." He stressed that, as a result of apportionment inequities, legislators representing only thirty-eight per cent of their state populations have the power to pass measures in the thirty-eight least populous states. These states contain only forty per cent of the American population. As a result, Pro-

Turning the Clock Back

"Taken collectively, the three proposals would result in (1) placing the power to amend the national Constitution in the control of state legislatures, (2) placing the final construction of the Constitution in the hands of judges whose offices are created and whose salaries are paid by state legislatures and (3) exempting state legislatures from any effective policing by the U.S. Supreme Court or Congress of their representative character. . . .

"Considering the far-reaching character of the proposed amendments, they have made remarkably successful, but until recently unnoticed, progress in state legislatures since they were proposed by the Council last December. . . .

"Advanced by their sponsors in the name of conservatism and the tradition of states' rights, the full impact of these three proposals, when viewed in the light of our constitutional history, is radical in the extreme. It is not overstating to say that should these amendments to the Constitution be adopted it would revolutionize our form of government and turn the clock back to the Articles of Confederation of 1777—which proved to be a failure and which were replaced ten years later by the Federal Constitution."

—from a report prepared by the Executive Committee of the Bar of the City of New York

fessor Black pointed out, the minorities controlling this minority could work fundamental changes and impose their will on the majority. He estimated, for example, that the income tax established by the Sixteenth Amendment could be repealed by the votes of legislators representing no more than fifteen per cent of the people of the nation.

Black's article had profound impact in legal circles; yet, as late as April 27, 1963, when Chief Justice Earl Warren spoke out on the amendment issue, he reported in shocked amazement that, after researching all law society publications and legal reviews, this was the *only* article he had been able to find. The Chief Justice lectured the legal profession for its lethargy and called for "a great national debate" on the three proposals. This call finally broke the barrier of public somnolence and indifference, but the fact that it was needed poses a most disturbing issue.

When the belated awakening came, when it finally dawned on liberal and labor and civil rights groups that the amendment drive must be taken seriously, there was an outcry that the amendments had been "sneaked" through various state legislatures in a devious campaign of deceit and concealment. This charge contains some elements of truth, but also much untruth. For the cardinal and glaring and most unpalatable fact is that, in this stultifying age of conformity and nondissent, few persons were awake; few gave a damn. This applies with almost equal impartiality to virtually everybody—to a soporific and superficial press, to labor leaders, to liberals, to lawyers, and to intellectuals.

Crihfield, the Council of State Governments' executive, snorts his disdain of liberals when this liberal "sneak" charge is mentioned to him.

"All the charges that have been made that these were sneak amendments are a lot of nonsense," he says. "The [General Assembly] meeting in Chicago was open to the press, the press was there, but frankly, they paid no attention to it."

Wayne Dumont agrees with Crihfield. He, at least, expected and hoped for publicity. "The next day I went out and bought the papers to see what kind of a press we got," he remembers. "I had to hunt through *The Chicago Tribune* to even find the story. It was buried in the back somewhere, with hardly any mention of the amendments. It was the same with all the papers."

Frank King, in essence, agrees with his opposition in this estimate of the situation. In his state, a few newspapers like *The Toledo Blade* were awake and aware from the beginning but generally there was a fog of indifference. "At the outset," King says, "I think a lot of people tended to dismiss this business too lightly, to laugh at it as a crackpot affair. In my estimation, many people still do. But I think it's something not to be taken lightly; I think it's damned serious. I've been fighting this thing in Ohio, and it's involved me in the toughest battle of my political life—and I've been in the legislature fifteen years."

These views are reinforced by personal observation. More than six months after the Chicago meeting, long after Professor Black and Chief Justice Warren had sounded the alarm bells, there was an amazing paucity of information in usually well-informed circles. In Washington, even in the offices of liberal Senators worried about Birchite threats in their states, the files were barren of any useful information about the amendment drive and the forces behind it. Most labor circles, stirring slowly to opposition, acknowledged that they had done virtually no spadework.

In exculpation, it must be stressed that there were two aspects of the amendment drive that encouraged such lethargy. First, as Frank King noted, the proposed amendments were so extreme that it seemed, to many sensible men, they could never gain wide acceptance. Second—and this is perhaps the most vital single point of the entire story—there had been *no* public demand for such drastic changes, and it seemed inconceivable, to anyone who recalls how difficult the amendment process has been for even widely publicized causes, that the three-amendment package could get anywhere without a strong basis of grass-roots support. That, in spite of this basic weakness, the amendment drive could become a menace expresses something relatively new in the American experience—the determination and ability

of top-ranking, ultra-conservative elements of the Establishment to engineer and organize changes from the top downward while the people sleep.

There can be no question about this. In Ohio, where the apparently-stymied amendment drive was sparked by Lieutenant Governor John Brown, King exposed the movement's glaring lack of popular support. "The Lieutenant Governor was the only witness to testify for these things before our committee," King declares. "I challenged them. I demanded that they produce one witness, one resolution—that they show me even one letter that had been written urging this action. They couldn't do it."

In New Jersey, the situation was even more dramatic. Wayne Dumont, worried about the state apportionment issue, was opposed to the radical Court of the Union idea, but he was ardently in favor of the other two amendments. "I went around to all the Senators," he recalls. "I explained to them just what the amendments were. There wasn't one of them who was misinformed. They all knew what they were doing. And they all approved; they all wanted to be co-sponsors of the resolution."

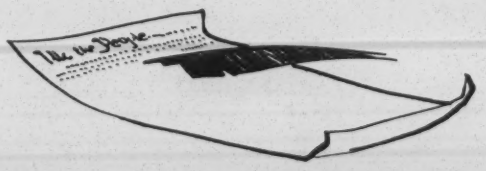
The result was that on January 14, 1963, with no debate, just as in Texas, the first two amendments flitted through the New Jersey Senate without a dissenting vote. Later, while action was pending in the Assembly, came the first stirrings of public reaction. Civil rights groups began to rouse themselves. U.S. Senator Clifford P. Case called for repeal of the state Senate action. A backfire started. As a consequence, a scheduled Assembly hearing was abandoned; the Senate recalled the unanimously-passed amendments; and on June 28, with desertions taking place on all sides, Dumont withdrew the proposals. They are now, he concedes, definitely dead in New Jersey.

Even Helm, the man at the heart of the amendment effort almost every step of the way, acknowledges that the national drive originated with the legislators, not the public. Discussing public reaction, he said, without any prompting: "Originally, of course, there was none at all. Then, after the amendments were introduced, my mail ran pretty heavily against them. Now, since they've been out for some time and there's been a chance to explain them, there's been a complete change, and my mail is running about four to one in favor." Helm added that this may not truly reflect public sentiment because "the people who write are almost always those who feel especially strong about something."

Asked if there had been any demand for amendments of this kind *before* the legislators themselves suggested them, he said: "Oh, no, there was no pressure from the public."

The picture that emerges is clear—and potentially fateful. Amendments that, in the words of Professor Black, could reduce this nation to a loose confederation of states, had been spawned and promoted by Insiders of the Establishment with such success that only one (the Court of the Union proposal, which has passed only five legislatures) seems definitely doomed. The other two, adopted by a growing number of states, will come before legislatures again this fall and winter, and no man can say what may be the outcome. That so much could be accomplished by a small cabal of strategically-placed officials, backed by wealthy and largely hidden interests, aided by the frenzied cries of racists, states righters, ruralists, and Birchites—all without any perceptible stirring or demand among the people themselves—this is a pattern that speaks of a deep and fateful schism in the American body politic.

It has been obvious for some years that the ultra-wealthy, ultra-conservative part of our society has been divorced from the broad base of the people, as virtually every Presidential election since 1932 has demonstrated. It has been obvious that the power of highly-placed rightists has been bolstered mainly by a show of strength on the racist and rabid fringe which, to a great degree, they have actively encouraged and promoted. The rural, rotten borough system, easy to manipulate and control in blocking progressive legislation, has helped to maintain this power, and the coalition in Congress of racist Southerners and ultra-conservatives mainly from rural areas around the nation, has stood as testament, for the last quarter century, to the existence and influence of reaction. All that was needed for a further grab for power, for an additional effort to roll back the tides of the Twentieth Century, was some catalytic agent to fuse the coalition tighter and broaden its base. This spark was supplied by *Baker vs. Carr.*



There is no question that this decision brought a great many legislators, some honestly worried about extreme extensions of Federal reapportionment power, into the amendment camp. They have helped to make possible the success of the amendment drive so far. But, significantly, they did not initiate it; they did not bankroll it; they did not control it. At most, to hold on to their own legislative seats, they collaborated. The significance lies, not in the fact of their collaboration, but in the power of the cabal at the top that has been revealed. When drastic and radical changes that would alter fundamentals of the American system can come so close to being imposed from the top, by inside manipulation, without the shadow of public demand; when, to this use of power and position, there is wedded an all-pervasive lack of dissent and controversy and interest on virtually every level of American society, we are confronted clearly with the potentials for an anti-democratic disaster of appalling magnitude. Whatever ultimately happens to the amendment drive, it has demonstrated the existence of these potentials.

They remain, ready and malleable elements, awaiting the masterful hand of this political junta, or some other, that might use them in new reactionary attacks against the Federal Union and against the degree of democracy so painfully achieved in the 176 years since the convention met at Philadelphia and agreed upon the document that begins: "We the People of the United States, in Order to form a more perfect Union . . ."

The Nervous Networks

An interview with Howard K. Smith

Howard K. Smith, the celebrated news analyst, has dared deal with basic, often highly controversial issues on television. As a consequence he has had major programs shot from under him, first while at CBS and more recently at ABC, where his present role is largely confined to the kind of dead-pan questioning of public officials that prevents Smith from expressing his own opinions. On a recent visit to Chicago, Smith was interviewed by Jay Selz, editor and publisher of Chicago Scene. *Smith's reflections on news coverage and network behavior strike us as an unusually revealing picture from the inside.*—THE EDITORS.

Q. Eric Sevareid said several years ago: "The problem of complexity is even worse than the problem of withholding news. Even if you had access to all of the news you wanted, you probably couldn't make it understandable to people. We used to feel, give people the facts and they'll make the right judgments. But what if they can't understand the facts?" Are we any better off in this regard today?

A. No, I don't think so. Eric's statement is perfectly accurate: Complexity is the problem and not enough people are meeting the problem. I was in Europe for twenty years and was accustomed to working with European politicians and diplomats. When I moved to Washington, I was overwhelmed at the abundance of information that is just free. I am not worried about news management at all. With a little digging you can get any information. But I do think the issues have become much more complex.

I went to see my friend Raymond Swing [former news commentator] the other day in Washington. I have trouble with news analysis and commentary. I have had it with one network and am still having a little difficulty. I said to Raymond, "How is it you got away with it and I can't?" He said, "Oh, the issues were so simple. I attained my maturity when a war was going on and the issue was to beat the enemy. Issues have become so complex today that it is really a job of education that needs to be done on the public."

Q. Has the increased complexity been matched by increased competence of reporters and increased comprehension and effort from the public?

A. I think the public standards have risen and the reporters I know in Washington are really scholars. But the complexity has increased faster. And the boldness of the outlets has not gone up to meet the complexity. The outlets have become more timid, and I think that's true of newspapers and it is certainly true of radio and television.

Q. In line with what you say about the outlets, Douglass Cater said in his book on the press: "It was not intimidation that caused the press to serve as the instrument of McCarthy's rise. Rather it was the inherent vulnerabilities, the frozen patterns of the press which McCarthy discovered and played upon with unnerving skill. Straight news, the absolute commandment of mass journalism, had become a straitjacket to crush the initiative of the reporter."

In the same connection, Sevareid said: "The objectivity of the press added to the distortion rather than exposed it."

A. To pick up the first point, the one that Cater mentioned: In the world of technological change, in fact change in every respect, it's remarkable that newspaper writing has *not* changed. It is still clamped in formulae that were prescribed a long time ago. And they are not good formulae. It is as stylized as ancient Egyptian art. You could make the human body only in one shape because the priest permitted only one shape. And it is not right.

Time magazine's phenomenal success rests solely on the fact that newspapers are so dull and in their way uninformative because of the stylized form of writing they require. *Time,* which follows no rules, lets you understand things better even with the bias of Mr. Luce.

I believe McCarthy did exploit this rigid form we have of news writing. Objectivity in the case of McCarthy meant you tell what he said and add nothing to it. That particular objectivity turned out to be a lie. It would make far more sense to say that Senator McCarthy said somthing today that we don't believe is true. But newspaper journalism doesn't allow that.

Q. One more quote. This is Barbara Ward: "We must get people to steadily and systematically stay with the news because it can be presented in such a heightened and sensational form that people can become crisis drunk. In most media, we only get crisis reporting, the breaking story, and not much background information." Are broadcasting and the press doing anything about that? I realize it is a tough one.

A. No, I don't think they do much about it, and it is tough, because it is simply hard to get people's attention for something that's going right. We suffer it in our daily lives. If nothing is wrong with your liver, you really aren't aware of it—until it has gone

bad. I think it is human rather than journalistic.

Q. Getting to television news, something seems terribly wrong with a system when so much prestige can accrue to Network A outrating Network B on election night, at the conventions, covering space shots, and so on. It's sad when news, of all things, becomes personality packaging. At CBS—the desperate and forced extrusion of reporters into something they are not in order to compete with Brinkley and Huntley.

A. Personality packaging and also propaganda build-up. Again, it is a very profound thing in our way of life, and I don't know what you can do about it. They build stars the same way. People are given reputations by one incident, though the rest of their lives are a rebuttal of that incident.

And the rating system, I hope, is thoroughly discredited. I am not sanguine about it, but I hope that the networks are going to be forced to apply judgment, human judgment, and do what Hollywood is doing: Bring in creative people and tell them to go to work and do something good. And by good, I don't mean it has to be highly intellectual. The test of whether a television program is good is: When you come home at night tired of what you have been doing, and you say I want to rest, I want to see something, not necessarily something that carries me away from myself, but rather makes me more important because it deals with problems I have faced in a way that makes me interested.

Q. What was the strategy at CBS for replacing Mr. Murrow? Who was tried?

A. I don't think they tried to replace him. I really have a sneaking suspicion they were glad to get rid of him. They made life pretty miserable for him in his last years, and he suffered from it. He was a very unhappy man. And the change in Murrow! Now he has one of the toughest jobs there is in Washington: Stating America's case to the world and with darned little money, and I have never seen a man so happy. I forgot that Ed Murrow can be gay. He can be. He cracks jokes.

No, I don't think they tried to replace him. I don't think they want a star like that again. I think they felt that he was too independent, which gives a clue to my problem as well, though I was certainly not as big a man as Murrow.

Q. Aside from his falling out with Mr. Paley [CBS board chairman] and always his differences with Dr. Stanton, [CBS President] was there resentment of him on the part of other newsmen at CBS?

A. No. In fact, they were all very close to worshipping him.

Q. Are attempts at stardom necessary in order to maintain one's power position in network news?

A. Well, television is still in its infantile stage, and it certainly gives you a bit of a lever against television executives, if you have support from an audience. And you need it in this business in its present primitive stage. It has not grown up. It is frantic. I am not even sure it is a good business. I am not sure I like it.

Q. Getting back to Mr. Murrow, I often wondered how a man who seems so uneasy, uneasy with people, could function so brilliantly on television.

A. It is a very good question. I will tell you, Murrow is not a simple personality. *The New Yorker* tried to make him one and *Time* in a cover story tried, but no one succeeded. He *is* ill at ease, and I have seen no man sweat as much as he does in front of the camera.

When I had him on my program recently, we had to freeze the studio because he sweats so badly he'd be terribly uncomfortable. And when he used to make radio broadcasts, under the table his feet were always shaking.

I can't tell you why he is so effective. I suppose I have met about four or five people in my life whose personalities are so strong that when they come into a room, even if your back's turned to them, you know that something is happening in that room, and Murrow is one. He is a powerful personality, yet uncomfortable in public appearance. But I just can't classify him as an extrovert or an introvert. I think the good contrast was the two succeeding Prime Ministers in Great Britain. Anthony Eden, when he went on television, died a little, he suffered. And when he got through, he was exhausted. Harold Macmillan loves it; in fact, if he goes on television tired, when it is over he feels better. Murrow is one of those people who died a little bit every time he went on television. And [Walter] Cronkite is one who thrives by going on television.

Q. So many good men are underused: Eric Sevareid, for instance. I had the feeling in your programs with Walter Lippmann, they would have been more interesting as an exchange of views, a discussion, rather than the straight interview with you playing a very self-effacing role.

A. Walter wanted it that way, too, but CBS wasn't allowing me to say anything those days, so I stuck to questioning a man who had a lot to say. One way to get things across is to get someone else to say them.

Q. It always seemed to me that fifteen minutes of radio—the great Sunday broadcasts from London when you had it, Sevareid, Collingwood, and now Kendrick—said much more than even a half-hour of television.

A. I agree with you. I still feel that way. I much prefer talking than this business of production. But the reason I am in television is because that is where the people are. Right now I am just a little weary of it, and ordinarily I would sacrifice a great deal to stay on television because that is where the American people are.

Q. You don't see any rejuvenation for radio?

A. No, I don't. Radio in part killed itself. It had its opportunity to become a great music and talk medium, and instead it has become a jingle box.

Q. How precisely does the freedom of reporters vary at the three networks?

A. Well, I think at CBS it is the most restricted. And NBC, I gather from information I have had, nearly so and is becoming more so. There was a time when NBC White Papers and other documentaries ended with the reporter saying, "And now here is a comment." That is out. And it is not by accident that it is out.

Q. How did these restrictions develop at CBS over the years?

A. It is my impression that the Murrow-McCarthy broadcast was the beginning. That was done, it is my understanding, without the full knowledge and accord of the top management. They felt it hurt them. At least it frightened them. And from that time on, I noticed the limitations growing and growing and growing, to where I could say almost nothing.

Q. And yet that *See It Now* telecast was so effective in breaking up the McCarthy ice floe.

A. Yes. Well, in a much smaller way, some of my most effective broadcasts have frightened the network the most.

Q. I suppose your radio broadcasts from Birmingham.

A. Yes, that was the beginning of my downfall. I watched the police leave the streets, and I watched these hoodlums carry out their planned beating up of everybody. I must admit I had some animated things to say about it. I think it had a little to do with starting the downfall of "Bull" Connor [Birmingham's safety commissioner]. But after that things began to clam up and one thing after another was withdrawn, including my Sunday radio broadcast, so there was not much point in my staying there just to earn a high salary.

Q. Weren't there restrictions at CBS from the start of radio news?

A. Yes, but they were rather more rational about it. Then newsmen ran the place. Now a lawyer [Richard Salant] runs it, a lawyer whose training has been as a lobbyist, a man who tries to please people. His instincts are: Don't offend anybody. He calls it objectivity but that is a totally sterile definition. He is an awfully nice man, and very intelligent, but his instincts are not those of a journalist.

Q. There has been a great deal of talk about the dissolution of the great CBS news department—the fact that you and Murrow are no longer there and Sevareid seems to be benched. Are we simply being sentimental about the "good old days" or is this in fact true?

A. No, there is a drastic change. It has been deliberately disintegrated on orders from the top. This is no sentimentality at all. Originally they accused me of changing my commentaries, but I was able to show them from scripts I had done every year for the past fifteen years that I hadn't changed, their policy was changing. I think the stakes became so high in television, the fall in character so great in executives, that they were not willing to take any chances on those huge stakes—millions of dollars involved in programs.

Also I think the present age is an age of blandness. In my view, it shows itself in our leaders. I think Truman and Roosevelt, whatever you considered them, were not bland men. They were fighting men. They made enemies, and finally had impossible relations with Congress, but before they did, they got an awful lot of things done. Now we have Eisenhower and Kennedy who are physically extremely attractive men, nice men, likable men, whose ambition presumably is to become beloved ex-Presidents. I can't see what other motives prompt either one of them.

There is a blandness there. Congress is bland. A Congress in which a fighting man like Hubert Humphrey hasn't got much to say is a Congress that is bland. It certainly has affected our media. Radio has Ed Morgan left, and I would say that's the end of it. That's all there is. There used to be twenty or thirty—an hour on either side of seven o'clock. Now there's one. And television? Well . . . there's very little on television.

Q. How powerful are the lower echelon desk men?

A. Not very. I think that's one of the frustrating things, the death rate among those men, the news managers, for example. The death rate is *tremendous.* They're dying all of the time. They're being brought in, miracles are expected of them, and they die. I think it goes right up to the top. I don't think they have much power.

Q. You had scripts yanked out from under you.

A. Well, I had some that were so manicured by editors that they were unreadable; I had to stay off programs simply because I couldn't physically read them.

I did one on Nixon [for CBS] which I must say was harmless, a short commentary on Nixon's problem when he went into the campaign in 1960. My only point was he has a problem. He has to offer something new, and yet offer something new without seeming to criticize his own boss who is President. And when the editors got through with that, the sentences didn't add up, there weren't predicates. Panic seized them.

Q. That's what I meant: they are anonymous but wield tremendous power.

A. They do it because of fear up above. In fact, one of them came up to me once when a particularly sensitive topic was up, and said, "Our wives and children are counting on you. So please go easy on this subject."

Q. Is there any way in which your switch to ABC hasn't worked out?

A. I think ABC was a little too frightened by the results of the Nixon broadcast [1962]. That fright still shows itself, but I still have far more freedom at ABC than I had at CBS. However, the program is going to die.

Q. Still, are you satisfied that your

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program accomplished all that you set out to do?

A. No. I wanted it to last, and I wanted to improve it . . . . The first program began with the words, "This is an experiment in television journalism." I wanted to try to transfer to television what was really quite successful on radio. I believe the radio commentators were the single main factor—there were lots of others—that educated America in the great revolution of attitude we've had. We were a convinced isolationist nation. We are now convinced internationalists and I think those radio commentaries were the main thing. I wanted to transfer that to television. I hoped it would induce imitation and bring a wider range of views from other commentators—middle-road, left-wing, right-wing. It has not succeeded. It was not imitated. And it is not going to last.

Q. Do you think at any time soon television will be big enough to take in critical expression, the way the BBC has with *That Was the Week That Was?*

A. That would save television. Some day the television networks will not say, "Oh, my God, this program about Mr. Nixon has caused an uproar; we can't have that." They run as soon as they're shot at. If they stood their ground, people would stop shooting at them. Some day, some simple genius at one of our networks will say, "That caused a lot of attention. Can we plan ten more like it?"

Q. Isn't it true that almost all the major stories were done first in print —even Murrow's great program on the migrant workers?

A. No, I don't think so. The first very good interpretation of the population explosion was done on television, and to my knowledge the best story done on the migrant workers was that one of Murrow's. In fact, I don't think CBS has equaled that before or since.

Q. One final question—what is your assessment of the President to date?

A. I was never greatly impressed with him as a Senator. A highly intelligent and personable man, but I never felt for him the high esteem that I have for men like Clark, Douglas, McGee, and many others. His name is not attached to any important legislation, though he was in Congress for fourteen years. But I do admire a man who can make a good speech, and he speaks darned well. I think he probably has the best brain we've had in the White House since Woodrow Wilson. But he hasn't got whatever it takes to go out and fight for his program today. Basically he is a conservative man who likes to talk in a liberal way. He came into power as a minority President, a factor . . . typical of many Presidents, I must say, who have done better.

I think to a great extent the problems he has in Congress are his own problems. If he were being defeated by 100 votes in the House and thirty in the Senate, I would say he can't do much. But he's being defeated by two, three, and five votes in the Senate and a handful in the House. He could swing that much. He could do what Eisenhower did. Eisenhower went to the people when the Landrum-Griffin labor bill was up and said, you've got to get in touch with your representatives, we have to pass this bill. They did pass it by a landslide. The only effort Kennedy made to educate the American people on the need for a Department of Urban Affairs was on my own program. I really felt how silly it was—I get four million people, a President can get twenty to forty million any time he speaks. He could have put it across and he didn't. Medicare, same history. His supporters say, why get into a fight with Congress, he'll have six miserable years in which he and Congress will hate one another.

Progressivism Reconsidered

by KARL E. MEYER

THERE WAS predictable hilarity in liberal circles when the Daughters of the American Revolution recently demanded a careful recount of the gold bars at Fort Knox. The DAR's concern with buried bullion seemed the perfect symbolic expression of the archaic outlook of dear, fossilized old ladies. Yet I would venture that liberals have their own Fort Knox, where the gold bars of the progressive tradition are stacked and regarded with roughly the same veneration that the DAR reserves for J. Edgar Hoover and Martha Washington.

As the glitter wears off the Kennedy Administration, it is increasingly apparent that traditional progressive concepts are inadequate guides to the stormy present. I do not say this out of disrespect, because my own family was deeply involved in the radical movements of the past—indeed, my father, Ernest L. Meyer, was writing for *The Progressive* when I was barely out of diapers. Nor do I say this out of any wish to minimize the enormous contribution made by the progressives.

Broadly speaking, the progressive movement began with the protests led by the Populists in the 1890's and then became a new national force in the period preceding World War I. Its

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two greatest proponents were Robert M. LaFollette, Sr., founder of this magazine, and Theodore Roosevelt, the Bull Moose insurgent of 1912. T. R. and "Fighting Bob" were quite different men, and each made a quite different contribution to progressivism. Roosevelt gave the movement glamor and respectability; LaFollette, always more radical, gave it substance.

Around these two luminaries swarmed a bright crowd of diverse and memorable supporting figures—everyone from Senator George Norris, the gentle knight of liberalism, and William Allen White, editor of the *Emporia Gazette,* to Governor (and later Senator) Hiram Johnson, tamer of the railroads in California. Within the movement, there were sharp differences on many specific issues, but there were certain unifying tendencies that are forever associated with progressivism.

There was general agreement that the private power of great trusts and monopolies threatened our democratic institutions. "Industrial and commercial tyranny destroys individual freedom," LaFollette warned in 1912. "We may have the privilege of the ballot. We may have the form and semblance of democracy, but in the end industrial servitude means political servitude." The diagnosis was surely accurate, and the progressives favored varying methods of regulation and trust-busting as the cure.

There was a pervasive suspicion of bosses, machine government, and patronage. And for every ill of democracy the progressives had a single cure—more democracy. They favored primaries instead of conventions, they urged direct election of the President, they supported the steady expansion of civil service, and they looked with abhorrence at party discipline and party leadership. Their ideal in legislatures, as then Representative George Norris put it after he had led the fight to strip Speaker of the House Joseph G. ("Czar") Cannon of his power, was "more individual freedom and less coercion."

Courts of every sort were regarded with special distaste; they were "the strongest bulwark of special privilege," in LaFollette's view. The Wisconsin Senator proposed that all life terms of office should be abolished and that Federal judges should be elected by the people. In 1924, when he ran as a third-party candidate for the Presidency, LaFollette favored a Constitutional amendment that would take the power of judicial review from the Supreme Court. Teddy Roosevelt, for his part, shocked his old friend Senator Lodge by ardently championing the subjecting of judicial decisions to the recall process, thereby allowing the voters to override the courts.

These, at least, were essential elements of the progressive credo. In many respects, they represented a valid response to the times. Between the economic oligarchy and political bosses who served as brokers for a true power elite, the theory of democracy was travestied in many states and more than occasionally in the national Congress. The progressives wanted to purify politics, and rid government of the odor of plunder, privilege, and plutocracy.

To anyone who has been raised within this progressive tradition, these political precepts still strike a responsive chord. They have the virtue of republican simplicity and rhetorical boldness. In their day, these precepts served the country well. They sent a breeze of change through a stuffy room and helped open the door for Franklin D. Roosevelt's New Deal.

Yet today this legacy is a bit mildewed, often highly misleading, and sometimes—surely it needs to be said—downright mischievous.

The progressives are often accused of being too pragmatic, but I think Richard Hofstadter is nearer the mark when he suggests (in his superb *Age of Reform)* that the real trouble with the insurgents is that they set their standards impossibly high. Possessed of admirable civic virtue themselves, they tended to see American democracy as a kind of vast town meeting in which every citizen would soberly weigh the facts and come to a cogent conclusion. This faith is summed up by the motto that appears over the spirited letters-to-the-editor column of the Madison, Wisconsin, *Capital Times,* a progressive organ if ever one existed: "Let The People Have The Truth And Freedom To Discuss It And All Will Go Well."

This is a noble sentiment, but not quite true. In the first place, the statement assumes the people are interested in hearing the truth. Some are, and some couldn't care less—such as those who complain bitterly if a Presidential speech dislodges "The Beverly Hillbillies" from their television receivers. Secondly, the assertion is a trifle sanguine in sweepingly concluding that "All Will Go Well." Sometimes yes, and sometimes no. It is not lack of hearing The Truth (or what all right-thinking progressives regard as The Truth) that accounts for the white Southerners' stubborn refusal to concede that all men, including Negroes, are created equal. Suppose Federal judges in the South were elected, as Bob LaFollette proposed. Is there any doubt what the result would be? Governors Ross Barnett and George C. Wallace would be wearing judicial robes.

Tradition, no matter how mistaken, and ignorance, no matter how regrettable, shape popular attitudes as much, or often even more, than dispassionate appeals to ethical principle. In the summer of 1954, the Fund for the Republic financed a revealing study of popular attitudes on civil liberties. It was an exhaustive project, in the most elaborate foundation tradition, involving 5,000 average citizens and 1,500 local community leaders, and two national polling agencies. The results showed a shocking indifference and ignorance about the meaning of the Bill of Rights, and every similar study has shown results consistent with the Fund's findings.

One example will suffice. The interviewers asked, "If a person wanted to make a speech in your community against churches and religions, should he be allowed to speak or not?" Of the overall sample, sixty per cent said he should not be allowed to speak. The analysts found, to their surprise, that supposedly the most conservative community leaders (DAR regents, American Legion commanders, Chamber of Commerce presidents, and Re-

publican County Central Committee chairmen) were markedly more "liberal" on this and other questions than the average citizen. The reason, it was safely surmised, is the level of education.

The point I am leading to is that in one important respect the progressive tradition is mistaken: Democracy, in so far as that concept embraces respect for civil liberties, is more respected by a minority than the majority. Generally speaking, the stoutest defenders of civil liberties are found among those persons who have a vested interest in using them—teachers, lawyers, editors, and the like. Therefore it is better that the courts have final powers in this field, even though it seems somehow "undemocratic."

Democracy assumes a set of common restraints that bind all participants—the "rules of the game." In Britain, the sturdy tradition of a centuries' old, tightly-knit people imposes these restraints and there is no need for a supreme court to validate or void parliamentary acts. In our country, a still-young nation of diverse peoples, the courts are the curators and defenders of the "rules of liberty"—or so they have become in the last generation—and until there is broader popular understanding of what the Bill of Rights means, it is better that they remain so.

The irony is that the true carrier of the progressive legal tradition was Justice Felix Frankfurter, who believed in self-restraint so long as the people could correct legislative error at the polls. Yet Mr. Frankfurter was emphatically not the hero of the liberals when he sat on the U. S. Supreme Court. The hero was, and is, Justice Hugo L. Black, who is as intolerant of legislative encroachments on civil liberties as his reactionary judicial forebears were intolerant of legislative infringements on property rights.

Related to the progressives' town-meeting vision of American democracy was the intense loathing of political discipline and party leadership. This took an extreme form in California, where state parties were robbed of their virility by a cross-filing system that enabled a Democrat to enter a Republican primary election, or vice versa, without identifying his own affiliation. The result was to confuse and demoralize the electorate as Governors and Senators wound up winning both major party nominations. Finally, a few years ago, this wretched system bequeathed to California by Hiram Johnson was abandoned.

More typical is the tradition that still persists in Wisconsin, where the Democratic Party makes no endorsement in primaries. The theory is that it is "bossism" if the party indicates a choice—a dubious legacy of the LaFollette era. Actually, when Old Bob ran the state, he did it through the dominance of personality rather than through party organization. Before a primary, the Senator would indicate his own choices, and this was tantamount to a progressive endorsement.

Again, the assumption was that individualism was the essence of progressivism; yet individualism today is in some respects the curse of the liberal movement. I think James MacGregor Burns is right in asserting (in his provocative *Deadlock of Democracy)* that one reason for voter apathy is the lack of party responsibility—and few things, I would wager, have contributed more to weakening party responsibility than the dogmas of the progressive era.

One of the most celebrated progressive triumphs was the David and Goliath contest between young Representative George Norris and Speaker Cannon. Under the so-called Reed reforms adopted in the 1880's, the Speaker was given broad powers to bring order out of the committee anarchy of the House. His authority included control of the vital Rules Committee and the power to appoint standing committee members. There is no doubt that under "Czar" Cannon, an Illinois mossback, the Speaker's power was used to throttle the progressive minority. In 1910, Norris led the floor rebellion in the name of "liberation of the House" and "the establishment of individual representation and responsibility." The young Nebraskan won, and the Speakership has never been the same since.

Interlandi in The Los Angeles Times

"Couldn't you make a special rate for our group? All we want to see is Barry Goldwater"

Today the Speaker of the House enjoys enormous prestige, but his real power depends more on personal ability than on formal authority. Speaker Sam Rayburn ruled the House by virtue of his stature, not by virtue of his appointive powers. His successor is unable to fill those large boots, and committee chairmen are running wild, to the despair of the White House. We are back to the period prior to the reforms instituted by Speaker Reed, the period so memorably described by Woodrow Wilson in *Congressional Government*. "Power is nowhere concentrated," Wilson wrote, "it is rather deliberately and of set policy scattered amongst many small chiefs... These petty barons, some of them not a little powerful, but none of them within reach of the full power of rule, may at will exercise an almost despotic sway within their own shires, and sometimes threaten to convulse even the realm itself."

This is the fruit of "the liberation of the House," though surely George Norris did not intend it that way. More than that, the cult of personality, which is a progressive legacy, has been the bane of the liberal delegation in Congress. In the old days when the Sons of the Wild Jackass, as the insurgents of the 1920's were styled by their opponents, held the

balance of power on Capitol Hill, they were unable to work together except for the most limited aims. Senators like Borah and Johnson and LaFollette were colorful and courageous; they were also notorious prima donnas. Today's liberals are far less colorful and outspoken; but they are still prima donnas.

The telling contrast is with the Southern delegation, which works together and accepts leadership and discipline. Liberals continually complain about the nefarious influence of Dixie—but there is little inclination to accept similar discipline of faction and make the liberals a bloc in fact as well as name. That would be "undemocratic."

But would it really be undemocratic? The nation is not a town meeting and individual citizens cannot be expected to be informed on every issue that agitates Congress. This is precisely what parties are for—to organize sentiment and delegate power to those who will carry out a given program. In a mass society, the key to power is organization, though that fact may be esthetically repellent and ideologically repugnant to some.

Yet much of the progressive tradition is at odds with this reality. Take a further example: the dogma that civil service is "good" and patronage is "bad." By process of accretion since the first Civil Service Act was passed in 1883, virtually the entire Federal establishment has come under its provisions. When President Kennedy was elected, he found that his effective appointment power extended to fewer than a thousand jobs. His Cabinet members discovered, as had their predecessors before them, that subordinates could assume the detached and passive air of officials who knew that their jobs were protected and that they would be around long after the Cabinet members had departed.

Among the President's immediate staff, no complaint is more prevalent than the difficulty of budging a frozen bureaucracy. "They don't actively sabotage our policies," one aide told me. "They just move as slow as glue when the policy doesn't suit them." In order to rule out the spoils system and enshrine the virtues of the competitive examination, we have come close to making effective political change impossible and responsible party leadership infinitely more difficult.

Coupled with dedication to civil service is the progressive doctrine that bipartisan, semi-independent, and quasi-judicial regulatory agencies are the democratic answer to controlling the abuses of capitalism. In practice, we have found that the regulatory agencies can be quite independent of the White House—but hopelessly the captives of the very interests they are supposed to regulate. Recently Howard Morgan resigned as a member of the Federal Power Commission and complained, in effect, that his agency was not able to insulate itself from industry pressures and was unable therefore to protect consumer interests. At various times, the same complaint has been leveled at every one of the twelve major independent regulatory agencies.

Most regulatory agencies, whether state or Federal, follow the same life cycle. They are born in a reforming spurt and initially champion consumer interests. Then, as time passes, various commissioners receive lucrative jobs in the concerns they had been regulating, public interest dwindles, and the agency becomes an appendage of a special interest. Finally, another reform wave engulfs the agency and we have a Newton Minow at the Federal Communications Commission for two years—and then, inexorably, the cycle begins to repeat itself.

It is worth asking now how much longer we can afford these islands of independent power as instruments for regulating an increasingly complex economy. Though President Kennedy backed away from the idea after last year's steel crisis, more direct government intervention into the economy seems a likely prospect. The pricing decisions of steel have as much to do with the overall vitality of the economy as practically any decision the Administration may make—and yet the decision is made by a relative handful of directors in a few companies. These directors are not truly accountable to anyone but themselves because (as Adolf Berle and Gardner Means pointed out a generation ago) control has become divorced from ownership, as any small stockholder can testify.

I am not sure what the proper answer to the problem is, but I am sure that the progressive tradition offers only the feeblest guides. Looking backward, it seems evident that the progressives could be ruthlessly realistic about the weaknesses of economic man, but blind to the weaknesses of political man. They saw the dangers of propertied greed, but not of political ignorance or indifference. They were skeptical about profit statements, but wholly beguiled by the mathematics of democracy—their advocacy of the direct election of the President was an example of the superficiality of their political analysis. In tribute to the dogma "one man, one vote," they would have scrapped one important device, the electoral college, which, as the system works out in practice, gives the otherwise under-represented urban voter a fairer shake in national politics.

The problems of democracy, so it seems to me, will not be solved by "more democracy" but rather by more concern with effective leadership, with responsible parties, and with understanding the infirmities as well as the strengths of popular opinion. "I have always felt," the senior LaFollette said wisely in his autobiography, "that the political reformer, like the engineeer or the architect, must know that his foundations are right."

Clearing the Air

by JAMES A. WECHSLER

In midsummer of the year 1963, President Kennedy submitted to the United States Senate, for its advice and consent, the terms of a treaty agreement reached with the Soviet Union and Great Britain under which nuclear tests would be confined to underground places. With a world-wide sense of relief stirred by this limited accord, prospects for its approval by the Senate appeared favorable. But for some Senators, as well as some editorial writers, the news seemed to be cause for anxiety rather than animation, as if this small breakthrough in the cold war affronted their analysis of history, and threatened their political security.

Senator Arbuthnot was one of the most vocal "reservationists" and his views might have been presented this way on a "Meet the Press" program shortly after the Senate received the treaty:

Q. Senator Arbuthnot, it has been reported that you have been disturbed by the test-ban agreement. Are those reports accurate?

A. Well, perhaps "disturbed" is too strong a word. Certainly I would welcome any genuine agreement that would seem to bring us closer to peace. But I want to be sure that it is *genuine*.

Q. In other words, you have your doubts?

A. I must confess that I do.

Q. Does that mean that you plan to vote against the treaty?

A. Oh, now, you're moving too fast. You are, if I may say so, leaping to a conclusion. I simply mean to say that I am approaching this debate with an open mouth—that is, mind. And I hope all my colleagues will approach it in the same spirit.

Q. Could you summarize briefly what features of the treaty cause you the deepest concern?

A. Now that would be difficult to do briefly, because there are so many questions that have not been answered. But my basic question is whether we have assurances that this agreement provides absolute security for the United States.

Q. You said *absolute* security?

A. Absolutely, within, of course, a moderate definition of that word.

Q. How do you feel such assurances could be given?

A. That is not for me to say. The burden of proof is on Mr. Kennedy and his associates. If I may coin a phrase, they have to prove to us that the bear has changed his spots, and that he is prepared to honor any agreement. Now, in view of all the violations that have occurred, beginning at Yalta, you gentlemen will forgive me if I say that this will take a lot of proving. But do not misunderstand me; I am ready to be convinced, and I hope that the evidence will be forthcoming.

Q. There are many people, apparently including Averell Harriman, who believe that Russia's conflict with Red China made Khrushchev eager for a real agreement to support his theory of coexistence. Have you considered that argument?

A. Why, yes, certainly. Any reasonable man would have to consider that point of view. But can we be *absolutely* sure that there is a conflict between Russia and Red China? Is it not possible that this is all a strategem to take us off our guard?

Q. What would you regard as absolute proof that the conflict between Moscow and Peking is real?

A. Well, I think any reasonable man would have to agree that an all-out war between Russia and the Red Chinese would remove most of the doubts on this point. But that has not occurred.

Q. Senator, to get back to the treaty. Isn't this essentially the agreement that the United States has long been proposing, going back to the Eisenhower era? Haven't the Russians made major concessions, particularly with respect to confining the treaty to a limitation on tests in the atmosphere and outer space?

A. That is true. That is exactly what makes me so suspicious, or at least dubious, about this agreement.

Q. You mean the fact that the Russians have yielded to us on key points increases your fears about the treaty?

A. It has caused me to wonder, yes, as to whether there is some nig—some enigma in the woodpile that is not yet discernible. Perhaps they know something that we don't know. I don't know.

Q. Didn't the U. S. Senate place itself on record as favoring an agreement in this form back in 1959?

A. I believe that is correct. We were aware, however, that the Soviet Union was opposed to such an agreement at the time.

Q. Could you indicate some other grounds for your reservations about the agreement, especially in view of the almost world-wide popular support that it has received?

A. Well, that so-called world-wide support is one of the things that most distresses me. I would be most wary of anything that seemed to create any illusions, any immoderate hopes—

Q. But President Kennedy himself

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has warned against any excessive expectations, and pointed out that this is only a first step—

A. Ah yes, but my question is: a first step toward what? Are we on the road to appeasement, to more sellouts? I do not charge that we are. I merely raise the questions. There is something strange in the atmosphere.

Q. Some people feel the atmosphere will be clearer once the treaty goes into effect.

A. Oh, but what would it profit us if we reduced pollution in the air but found our minds befogged? As I said on the Senate floor the other day, an overdose of tranquilizers can be as dangerous as radiation. Indeed, I believe Dr. Teller would argue that the tranquilizer could be a greater danger, although I have not consulted him on that point.

Q. Senator, everything you have said would seem to indicate that you will vote against the treaty.

A. It was certainly not my intention to create that impression. I am merely urging caution, that we make haste slowly, and that we make *absolutely* certain that there is no gimmick, that this is really a foolproof agreement.

Q. But the treaty itself provides that any signatory can withdraw from it on three months notice—

A. That is one of the things that worries me. How can we be sure that the Russians do not have some devious reason for wanting us to halt tests for a while—until, perhaps, they have made some new preparations?

Q. Would you have preferred a treaty from which we could not withdraw?

A. Now, please do not put words in my mouth. I am merely raising possibilities. As one of my colleagues has pointed out, this treaty would not prevent Castro from conducting underground experiments in caves. Can you cite any provision which would prevent him from doing so?

Q. What would prevent him from doing so if there were no treaty?

A. You have not answered my question. It is this type of loose thinking that concerns me most.

Q. Senator Arbuthnot, how do you feel about Red China's attacks on the treaty? They have accused the Russians of surrendering to the West. They charge the Soviets with trying to create the illusion that there can be any kind of peace between capitalist and Communist states. Do you see any similarity between their position and yours?

A. I trust that it is not necessary for me to say on this forum that I am equally opposed to all forms of Communism, whether Russian or Chinese. And I suggest again that we must look behind all these words and find out whether it is possible that the Russians have instructed the Chinese to make such attacks in order to confuse the West.

Q. Senator, you seem to be proposing a sort of mental inspection-system as a condition for all agreements. Are you arguing that there can be no agreements with the Russians until they have allowed us to send over a team of psychiatrists to examine their leaders?

A. Well, now, that thought had not occurred to me in that form. But it is a provocative one. Of course, I would want to know exactly how the psychiatrists were to be selected; I have known some of them who have seemed to me to be, as far as world politics is concerned, a little fuzzy-headed. But it is an interesting suggestion. Very interesting.

Herblock in The Washington Post

"Courage, Men, Till the Clouds Come Back"

Q. Suppose the Russians then insist on sending over a team of psychiatrists to examine our government, and some members of the Senate. . .

A. Well, now, you are reducing a novel thought to an absurdity and I do not think it would be profitable for us to pursue it much farther.

Q. Senator Arbuthnot, on the question of motivations, some of your critics have asserted that you seem to be delaying an announcement of your position until you see how the political wind is blowing. Would you comment on that charge?

A. I deplore and decry such insinuations. They are unfortunately too common. He who steals my purse steals trash, but he who impugns my motives and tries to read evil intention in my mind, is deserving only of contempt. In this, as in all matters, when the roll is called I shall consult only my conscience.

Q. Senator, you have said that the Administration must offer "proof" that the treaty absolutely protects our security. But you have also warned on many occasions against the disclosure of any vital information about our nuclear program. How do you reconcile those positions?

A. That, as I have frequently said, is the President's problem.

Q. Senator Arbuthnot, our time is nearly up but there is one final question. If Khrushchev, perhaps under the pressure of the Russian military leaders, were to announce tomorrow that he was repudiating the agreement, would that affect your attitude toward it?

A. I can answer that question unequivocally. If that were to happen, I would announce at once and categorically that I was prepared to vote for its ratification by the Senate. I believe that such an announcement from Moscow would clear the air and resolve the doubts felt by myself and many of my colleagues.

Q. Thank you very much, Senator Arbuthnot, for appearing on this program.

Two Years After

The Depressed Areas

by JULIUS DUSCHA

THE Congressman could hardly wait to question the Administrator. Did you not assure me, New York Republican Clarence E. Kilburn asked, that no decision on the depressed areas project in my district would be made until after the election? William L. Batt, Jr., director of the Area Redevelopment Administration, shifted in his chair. He replied that he could not recall the exact details of the conversation. Kilburn, the ranking Republican member of the House Banking Committee, had no apparent difficulty in remembering what was said. Why, he asked Batt, did you then let my opponent announce the day before the election the approval of an $844,000 loan to reopen a pulp and paper mill?

The announcement was "electrifying," the Congressman told Batt angrily. "The people all came out on the streets and had a big celebration." Kilburn estimated that he lost 2,000 to 3,000 votes as a result.

It was on this jarring political note that hearings began last spring on an Administration request to more than double the size of the two-year-old depressed areas program. Kilburn was not the only member of the Banking Committee to pounce on Batt. Republican Representative Oliver P. Bolton, of Ohio, also complained about the way Democrats were apprised by the ARA of the approval of projects so that they could claim all of the credit for what were, in reality, bipartisan endeavors. Another committee member, Republican Representative Florence P. Dwyer of New Jersey, charged that ARA funds had been used to train workers for a Mack truck plant that Maryland had pirated from her New Jersey district.

The Administration tended to brush off the complaints from the Republicans as sour political gripes. But on an afternoon in June, the House defeated by a vote of 209 to 204 the bill to increase by $455 million the amount of loans and grants available to depressed areas. Not only had twenty Republicans who had supported the original program two years ago turned against it; eighteen Southern Democrats had also changed their minds and voted "no" the second time around. The way President Kennedy was handling the racial crisis led to a few of the Southern switches. A Chamber of Commerce campaign against the program was also effective, both North and South. The depressed areas program, which had been vetoed twice by former President Eisenhower and was approved by the House in 1961 only after low-income rural areas were made eligible for grants and loans, was once again in deep trouble in the suspicious House.

Two weeks after the unexpected defeat of the legislation in the House, however, the Senate approved the expansion bill by the comfortable margin of sixty-five to thirty. The same arguments of political finagling and inept administration that had killed the bill in the House were made in the Senate. But the arguments were to no avail. This year the legislation received seven more votes in the Senate than the original bill received in 1961.

The Administration had worked hard to get a decisive vote in the Senate as the first part of its campaign to convince the House to reverse its decision. The failure of Congress to vote additional funds for the ARA this year would not be a fatal blow to the program, however, because the agency still has enough money to continue its activities into the early part of 1964, when Presidential election year pressures undoubtedly would assure the approval by Congress of more money for depressed areas. Still, the agency and its supporters felt the increased needs of such areas required more money this year. Thus, late in July an attempt was made in the House to trade votes with Southern members for ARA funds in exchange for support among Northern Democrats for a new cotton subsidy that Southern textile mills badly want.

But which majority was right—the Senate or the House? Has the depressed areas program been such a success that it deserves the vote of confidence given it by the Senate? Or has it failed and sunk into a morass of politics and poor administration? The answer is that the program has been neither as bad as its House opponents have alleged nor as good as its Senate supporters have claimed.

The depressed areas legislation was the first major Kennedy program approved by Congress. When the President signed the bill into law May 1, 1961, little more than three months after taking office, he had redeemed his principal pledge to West Virginia. During the climactic West Virginia Presidential primary, Mr. Kennedy had pledged that his Administration would support legislation to use government loans and grants to help bring industry to areas like West Virginia where shifting industrial patterns had left stagnant pools of unemployment.

The legislation became Senate Bill No. 1 in 1961. It was introduced by Senator Paul H. Douglas, Illinois

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Democrat, who had drafted the first proposals to help depressed areas six years earlier. The 1961 law set up the Area Redevelopment Administration in the Commerce Department to lend and grant a total of $379 million to depressed areas. These ranged from rugged coal-mining counties in West Virginia and Eastern Kentucky to desolate Indian reservations on the Western plains and deserts. In what was considered a master political stroke, rural areas with low incomes were also made eligible for depressed areas aid. This meant that a program originally designed to help not more than 200 chronically depressed counties was expanded to include more than 1,000 counties—one third of all the counties in the United States. With so many counties having a stake in the program it presumably would benefit from continued broad-based support on Capitol Hill.

Under the program, loans are made to help acquire sites and construct buildings for new factories and other business enterprises in depressed areas. Money is also available for loans and grants for building sewer and water lines and other public facilities needed to attract industry. In addition, funds are provided for training men and women for work in new plants, and for surveys to determine the industrial and tourist potential of depressed areas. The entire program depends on the initiative of local communities. They must draw up redevelopment plans, interest industry in their areas, and put up at least ten per cent of the cost of a project before Federal loans and grants are made available. Each project must be reviewed by one or more of a half dozen Federal agencies, ranging from the Small Business Administration to the Agriculture Department, before the money is finally released to a depressed community.

The new agency was established in May, 1961, but it was not until September that Congress approved appropriations for the ARA. To head the agency the President picked William L. Batt, Jr., a Pennsylvanian who had been one of the early advocates of a Federal depressed areas program and had operated a similar program in his own state. Batt, a tall, bald Democrat in his forties, has political ambitions of his own in Pennsylvania.

As administrator of the depressed areas program, Batt has moved cautiously. He has also been hamstrung by the red tape built into the program by Congress. The checking and double-checking required by Congress before approval of a project has slowed up ARA operations. Batt's caution is partly a result of having been burned in hastily arranging the first ARA project. It was a combination loan and grant to provide water for a new shirt factory at Gassville, Arkansas. To get the plant, which moved to Arkansas from Tennessee, the community had to promise to help keep it non-union. Thus, there were anti-union overtones as well as aspects of industrial pirating involved in the initial ARA project.

Moving slowly, the ARA approved financial assistance for 370 projects in its first two years. The Federal loans and grants tied up in these projects totaled $165 million. The ARA estimated that 55,000 jobs would be directly created by its loans and grants, and that 35,000 additional new jobs would be created in ARA-aided communities as a secondary result of the new industry that the ARA helped to establish. In addition, 396 ARA manpower projects trained more than 20,000 men and women for jobs not yet available in depressed areas.

The 90,000 jobs for which the ARA can claim credit amount to less than thirteen per cent of the 700,000 hard-core unemployed who are concentrated in the depressed areas. But, as Senator Douglas pointed out during the Senate debate over the ARA program, a beginning has at last been made toward solving the seemingly intractable problems of these stricken areas. Nearly 250,000 more jobs would be created with the balance of the original ARA authorization of $379 million plus the additional $455 million sought by the agency from Congress.

Although the ARA had definitely committed only a little more than one-third of its available funds by last spring, the agency won White House approval to seek the additional authorization. ARA Administrator Batt and his boss, Secretary of Commerce Luther H. Hodges, argued before the House and Senate Banking Committees that projects already being processed would quickly use up the remaining two-thirds of the original ARA authorization. But even Congressional friends of the depressed areas program thought the request for $455 million more was excessively high. Nevertheless, the House Banking Committee approved the legislation, and the House Rules Committee sent the bill to the floor without appreciable delay.

Confident Democratic leaders in the House were shocked by the defeat of the legislation in June. They thought they had a safe margin of perhaps as many as thirty votes. The program, while providing urgently needed jobs, after all, included some of the familiar ingredients of a pork barrel, and the ARA had carefully distributed projects so that every eligible state got something. Before the debate, Representative Wright Patman, Texas Democrat and chairman of the House Banking Committee, filled fifty-six pages of the *Congressional Record* with a compilation of loans and grants made by the ARA under the depressed areas program as well as the accelerated public works program, which the agency also administers. Nearly $1 billion in Federal money has been made available during the last year for state and local public works projects that were off the drawing boards and ready to go. Many depressed areas have in fact been helped more by the agency's public works program than by its long-range industrial and public-facility grants and loans.

Politics was certainly an important factor in the ARA defeat in the House. In addition to Republican resentment over the advantage given Democrats in announcing ARA projects, some Republican Congressmen suspected that in the months before the November elections last year favoritism was shown by the agency toward projects in Demo-

cratic districts. Republican Representative William B. Widnall of New Jersey observed that seventy-eight of the one hundred ARA projects approved during the four and one-half months before the elections went to Democratic Congressional districts.

"I have heard this program called 'seed corn' money," Widnall, a senior member of the House Banking Committee, told the House. "I am getting pretty worried over who is doing the planting and what is coming up as a crop."

But far more important than the political complaints were the questions raised by Republicans and Democrats about the kinds of projects receiving ARA aid. Nearly a fourth of the money spent on industrial projects in the first nine months of the 1963 fiscal year went for the financing of motels and hotels. Of the $7.9 million loaned for the construction of hotels and motels in that period, $1.8 million was allotted to the Ponchartrain Hotel Company to help build a motor hotel in Detroit where the occupancy rate of existing hotels has been running little better than fifty per cent. Detroit Congressmen who defended the loan maintained that additional hotel space was needed to attract conventions to Detroit, but with the amount of private capital available for hotel construction throughout the country, a luxury hotel hardly seems a community need requiring Federal funds loaned at four per cent interest.

Another project that has been widely criticized is a convention auditorium in Duluth, Minnesota, for which the ARA set aside $6.1 million in loans and grants. While the Detroit hotel would provide jobs for 450 persons, the Duluth project would create only twenty-two permanent jobs. The auditorium would of course attract conventions and thus indirectly provide work for many more than twenty-two persons. But the money for the auditorium, which happens to be located in the state represented by Senate Democratic whip Hubert H. Humphrey, amounted to one-third of all the money loaned and granted by the ARA for public-facility projects in the first nine months of the 1963 fiscal year.

Another public facility loan and grant totaling nearly $9.5 million for a tourist center for Oklahoma Lake has also been questioned. It is more than a coincidence that a project which accounted for fifty-five per cent of all the money provided for public-facility loans and grants in the 1962 fiscal year went to the state represented by the powerful Democrat, Senator Robert S. Kerr, who died in December, 1962.

Neither Oklahoma nor Texas is generally considered to be a depressed state, particularly by its Congressional delegations, and Chambers of Commerce in East Texas vigorously protested the inclusion of counties in their part of the state among the depressed areas. Yet in the first two years of the program both Texas and Oklahoma got more money from the ARA than was received by the severely depressed coal-mining regions of Eastern Kentucky, West Virginia, Pennsylvania, and Southern Illinois. Oklahoma led all the rest, with $16.7 million in grants and loans, followed by Texas with $9.7 million. Pennsylvania received $8 million; West Virginia, $6.1 million; Kentucky, $5 million; and Illinois, $2.3 million.

The depressed areas program, however, has not been a gigantic boondoggle, as some of its Congressional critics would have their constituents believe. The ARA has made mistakes, some of them pretty big, but it has also pumped badly needed funds into worthwhile projects in chronically depressed areas. If Texas and Oklahoma received more money than Pennsylvania and West Virginia, it is partly because the most severely depressed areas in the coal-mining states are so far behind the rest of the country, with such deep rooted economic problems, that it takes them much longer to develop worthwhile projects.

The biggest handicap that has faced the ARA has been the sluggishness of the American economy. Even with all of the advantages that ARA loans and grants offer businesses, it is difficult to find companies willing to locate in depressed areas at a time when the economy is not expanding as rapidly as it should be to create needed jobs.

The fragmentation of the ARA program has also worked against the early achievement of dramatic results. For every $2 the ARA has spent in areas of hard-core unemployment it has allocated $3 to depressed but hardly desperate rural areas. It may have been necessary to make a third of the nation's counties eligible for ARA aid to get the program through the House in 1961, but this shotgun approach to the problems of the depressed areas has merely delayed the solution of many of them. For political reasons the ARA must spread its projects among as many states as possible; as a result, it is far more difficult for the agency to concentrate its efforts in the areas where the need is the greatest.

Since he became Undersecretary of Commerce, Franklin D. Roosevelt, Jr., has spurred ARA efforts to develop a coordinated program for the Appalachian Mountain area, which stretches all the way from northern Alabama to southern New York and includes some of the nation's worst pockets of chronic unemployment. Roosevelt is not the first person to conclude that a government agency patterned after the Tennessee Valley Authority probably could best solve the problems of "Appalachia."

In his excellent study of Eastern Kentucky, *Night Comes to the Cumberlands,* Harry M. Caudill dismisses the fragmented ARA program as totally inadequate to the problems of depressed areas and argues for the establishment of a Southern Mountain Authority to rebuild the economy of the Southern Appalachians. A native of eastern Kentucky who practices law in his home town of Whitesburg, Caudill believes that a vast resettlement of the area's population into concentrated,

viable centers is needed. Then through the construction of large dams, and the systematic renewal of the region's resources, Caudill's Southern Mountain Authority would turn the area into a mecca for tourists.

The depressed areas program has been an experiment, and, like most other experiments, it has not worked perfectly. Not only does the ARA need stronger, more imaginative, and less political leadership; both the agency and the White House also need to review the entire depressed areas effort. The program probably would not have run into so much trouble in the House if it had been carefully appraised within the Administration last winter before the recommendations for more funds were sent to Capitol Hill.

It is still not too late for such an appraisal. A study of this sort undoubtedly would lead to the rather obvious conclusion that the ARA needs to concentrate its efforts on specific depressed areas rather than scatter them across the continent. Without such a concentration of loans and grants the ARA is in danger of becoming merely another pork barrel. The lives of too many communities and people are involved to permit the depressed areas program to be turned into a political handout.

New Ideas From an Old World

by THOMAS W. OTTENAD

WESTERN EUROPE, the old dog that added some impressive new tricks to its economic repertory, provides a startling contrast to the United States. While the American economy moves ahead sluggishly, Western Europe makes brisk progress, with some countries there showing a growth rate double that of the United States.

The more rapid growth of European business and industry has attracted increasing attention in this country. Of even greater significance, if less noticed, however, is another kind of "economic gap" that has opened between these two segments of the West—a gap in economic philosophy and practice. America, with its tradition of change, and Europe, with its unchanging traditions, seem, in the field of economic policy, to have reversed their usual roles. The Old World has become the daring innovator; the New World, the reluctant follower. The United States, with a New Frontier government led by a youthful President, still clings to Victorian economic practices while major European governments, conservative by name or tradition and led by statesmen of a passing generation, have moved ahead to develop and use fresh and fruitful policies.

The economic differences between the United States and Western Europe are manifest in a variety of respects, but essentially they center on the degree of government participation in the economy. The United States still holds tenaciously to a laissez-faire more appropriate to the Nineteenth Century. It still resists the philosophy, adopted long ago by major European nations and constantly adjusted to new circumstances, that governments must play a dominant role in directing and influencing the national economies.

An American traveling through Europe finds broad acceptance of this idea. There is little or none of the American antipathy toward government taking a direct hand in economic matters. In a recent report the Commission of the Common Market stated clearly a view that is widely accepted in Europe: "It must be remembered that an economic order based on freedom can only exist in the world today at the price of constant state intervention in economic life."

National budget balancing is another subject viewed far differently in Europe. In this country there is almost an irrational fixation on balanced budgets. Europeans, however, see deficit spending as a useful tool for stimulating their economy when necessary. Calm and tiny Sweden provides a good example of how far Europeans have outstripped Americans in their endorsement of a flexible budget policy. As long ago as 1937, the Swedish government adopted a formula of trying to balance its budget, not annually but over a period of years covering the business cycle, with planned budget surpluses during booms and planned deficit spending by the government during slumps. It is this very concept that President Kennedy has been trying, for the past year or so, without any great success, to persuade Americans to accept.

As for more contemporary economic thought, the United States views as completely alien and dangerous the concept of national planning, which has captivated so much of Europe. The idea of government planning for future economic needs can scarcely be discussed in this country; it is castigated as "socialistic"—or worse. On the other hand, national planning has long been accepted in France, the Netherlands, and Sweden; it has taken hold recently in Belgium and Great Britain, and has entered the preliminary stage in Italy.

The types of plans vary considerably. *"Le plan"* in France is the most complex and far-reaching. Carried out by the government with the participation of business and labor, it sets

THOMAS W. OTTENAD recently concluded a series of articles for The St. Louis Post-Dispatch based on an intensive survey of economic conditions in Western Europe.

four-year targets for economic growth, investment, production, wages, prices, and a multitude of other factors. It spells out steps needed to reach its objectives and offers incentives and indirect controls for pushing the economy over the goal line. Some of the other planning systems, like that used in Sweden, are far less compulsive in nature than *"le plan."*

The economic tools used by European governments are much more extensive, varied, and sophisticated than those utilized by the United States. They also are employed more rapidly and flexibly, although not always more adroitly. Perhaps the most impressive arsenal of economic weapons is Sweden's. It includes a wide range of measures that go far beyond the usual fiscal and monetary policies in use in most modern, industrialized nations. Among the most important are: a comprehensive investment reserve system allowing business firms to put money aside, in a government-supervised fund, during periods of prosperity and receive a sizable tax credit if they spend it for plant expansion or other authorized works during slack periods; a new national pension scheme that not only sets one of the world's most ambitious targets for old-age benefits, but also provides the government with a mammoth source of capital for investment; an emergency budget to finance public works that can be started on short notice when the economy needs help; and a comprehensive system of both short and long-range economic forecasting to uncover and try to correct potential difficulties.

There is great variation in the kinds of economic instruments used in other nations, for Europe still is far from economic unity, the hopes of the Common Marketeers notwithstanding. In Great Britain, for example, there is standby authority for making limited cuts in certain taxes, when needed, without taking time to get approval from Parliament. (A somewhat similar proposal by President Kennedy was greeted with loud indignation here as a Presidential invasion of the Congressional taxing power.) A national incomes policy is being sought in an effort to stabilize British prices, although chances for success appear rather dim. Lower taxes, higher public expenditures, and a record budget deficit were urged last spring in a drastic effort to revive England's economy, the most sluggish in Western Europe.

Italy, where the economy has shown a tremendous surge of power in recent years, has used a continuing policy of high public expenditures and investments to bolster growth and meet accumulated public needs.

And what of those reputedly laissez-faire Germans, who have achieved the fastest growth rate in Western Europe and who are generally regarded as economic conservatives? Although the phenomenal West German recovery was, in large part, the product of such favorable circumstances as its large pool of cheap, well-trained refugee labor, the government, too, has played a major role in the *"wirtschaftswunder,"* or economic miracle. Since 1949 it has provided subsidies, generous allowances for depreciation, and tax benefits designed to promote investment, especially in the basic industries. The government has played a major part, also, as a direct investor in economic enterprises.

The broad differences between the United States and Europe extend even into the esoteric realm of national accounting. The United States' Federal bookkeeping system, the so-called "administrative budget," exaggerates deficits by about $3 billion whereas British, French, and German accounting methods result in much less distortion. Furthermore, the United States lumps all kinds of expenditures into one untidy, unidentifiable mess while most European budgets utilize two separate accounts —one for operating and other nonrecoverable outlays, the other for repayable loans, investments, and capital expenditures. If the European system had been in use here, Americans could have seen that about one-third of the Federal deficit of $3.9 billion in fiscal 1961 resulted from expenditures that offered some prospect of being repaid. The effect of these differences in approach is that our administrative budget distorts and magnifies Federal deficits while European systems minimize them.

Justus in The Minneapolis Star

"How Am I Doin', Pop?"

Taken together, all these measures constitute an effort by European nations to direct their economic development instead of letting it drift, rudderless, on an economic sea that is as dangerous as it is free. Their instruments are aimed also at applying the brakes to inflation although, in general, these have not worked very well.

Popular American belief to the contrary, Europeans have lost little freedom through their efforts to guide their economies through national planning. There are some minimal strictures such as the difficulty French businessmen have in obtaining financing for activities that are not in accord with *"le plan"* and the requirement that Swedish firms use their investment reserves for purposes authorized by the government if they are to obtain full tax concessions. Yet even in these cases, Europeans feel they have not sacrificed freedom of choice. They point out that participation in economic programs usually is a voluntary matter.

Important in the European process is a cooperative effort in which business, labor, and government frequently work together in developing policies acceptable to all. Thus, the French national economic plan is put

together by twenty-five committees with about 3,500 members representing industry, trade unions, government bureaucracy, and virtually every other element of French society. Britain's "Neddy," the National Economic Development Council that is charged with preparing a plan for national growth, is much smaller than the French apparatus but shows the same kind of approach. Its twenty members include trade unionists, employers, and public representatives. The trend to cooperative planning is vividly apparent in Sweden, particularly in labor-management relations. Unions and employers have worked together so harmoniously that there has not been a major strike since 1945. There is cooperation between management and labor in Germany, too. Under a policy of "co-determination" established by German law, workers have a voice in shaping business policies.

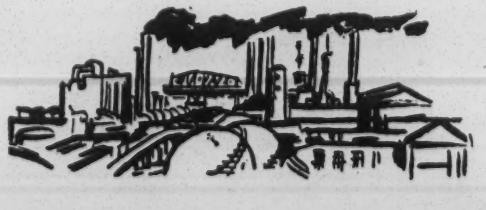
As these and other practices indicate, Europe places much greater store on the value of inter-group cooperation than does the United States. Europeans seem much more intent on reaching a national consensus, in eliminating differences where possible, than in having complete individual independence of action. At its best this attitude leads to an effort to reach a national policy beneficial to all; at its worst, it leads to restraint of trade, market sharing, and cartels. Americans cherish freedom of action, despite its frequent uncertainty, much more highly than they do cooperation and its more certain calm.

Why has the United States lagged so far behind Europe in accepting changed economic concepts? The answer is a difficult one, shrouded in a haze of traditional attitudes and psychological factors. In part, it reflects a refusal to recognize that the economic facts of life have changed drastically since the days of America's infancy. What was once a simple society, where each man enjoyed a wide range of economic freedom, has now become a complex economic machine with a vast number of interacting parts. It is a delicate, complicated economy that needs constant attention if it is to run smoothly and on the proper course.

Another part of the explanation seems to lie in the popular American penchant for preaching public thrift while practicing private profligacy. The American who is in deep personal debt for his automobile, a houseful of appliances, expensive but largely superfluous gadgets, and even vacations on a "play now, pay later" basis, nonetheless piously condemns "wild spending" by his government.

Former President Eisenhower bears considerable responsibility for strengthening popular myths about national economic policies. His homilies about "fiscal integrity" and his fervent exhortations against "passing our burdens on to our grandchildren" are appealingly sincere but appallingly uninformed. Perhaps his difficulty with economic concepts stems from the fact that, in the worn and weary Republican cliche about non-businessmen, he never had to meet a payroll.

Under the Kennedy Administration a gradual change has been taking place in government, if not public, attitudes toward economic policies. There was little evidence of the shift early in the New Frontier, for Mr. Kennedy was at heart much more a fiscal conservative than many Americans perceived while under the spell of his inspiring campaign speeches. Slowly, however, he has been moving toward a more flexible economic position. He started the process with a number of anti-recession and related measures such as larger depreciation allowances, a seven per cent tax credit for new investment, aid to depressed areas, and expanded public works, welfare, and training programs. A much more extensive move was made this year in the President's controversial proposal designed to cut taxes by $10.2 billion and deliberately put the Federal budget into the red by $11.9 billion in the fiscal year that began July 1.



While this proposal for a planned deficit is a major step, strange in its novelty to many Americans, it still leaves the United States far behind Western Europe in modern economic thought and practice. Even so, there is danger in this breaking of new U.S. economic ground. For if the inadequacies of the Kennedy plan prevent it from speeding up the growth of our sluggish economy and reducing unemployment, any hope of modernizing America's economic attitudes will suffer a serious setback.

Europeans who have studied America's economic situation strongly support the theory of the Kennedy program, almost to a man. But, almost equally unanimously, they fear it will not be big enough and diversified enough to do the job. Stronger measures, they insist, are needed.

It seems clear that a number of policies that have been used by European countries could be employed profitably on a modified scale by the United States. Long-range economic forecasts or projections of the Swedish type could focus attention on America's probable future needs and provide useful guidance to government, private industry, and labor. Standby tax-cutting authority and emergency public works projects would provide a way of dealing quickly with economic downturns without waiting for slow Congressional action. A more flexible, responsive budget policy would help to keep the entire economy in proper balance between deflation and inflation. An investment reserve system of the Swedish type would offer benefits to both the nation and participating business firms.

Programs of this type are needed to bring U.S. economic practice into line with the compelling demands of this latter half of the Twentieth Century. What was good enough for grandfather's economy is not likely to help us meet our urgent needs or match the pace of Western Europe. The New Frontier and the nation might well look across the Atlantic to learn what European economic ideas could be adopted to speed U. S. economic growth on behalf of 190 million Americans.

Tinder Box in the Dominican Republic

by SIDNEY LENS

JUAN BOSCH, a novelist who became president of his country, may well demonstrate that a revolution—even a Caribbean revolution—can be democratic and still succeed, or become simply another victim of Latin American militarism, vacuous anti-Communism, and a U. S. policy characterized by lack of understanding.

The first elected president of the Dominican Republic after thirty-two years of Trujillo tyranny is probably the most humanist head of state in this hemisphere. One of his first acts as president was to reduce his own salary and those of his ministers by half. By Latin standards this would ordinarily be considered a grandiose but empty act, but Bosch, who was penniless when he came to office, is conceded by everyone, even his worst enemies, to be incorruptible. Bosch's dedication to democracy is almost a mania. He refuses to conduct a purge of former Trujillo followers on the grounds that too many of his people have been tainted by association with the dictator, and that blood-letting can lead only to a terrorist regime. Let the past bury the past, he told his followers during the election campaign last year. When the workers of the government-owned Haina sugar mills used company trucks to transport themselves to a meeting of Bosch's Dominican Revolutionary Party (PRD), he publicly criticized them and ordered that in the future no government property should be used in the interests of any political organization, including his own. Firmly non-Communist, he nevertheless refuses to be stampeded into police action against the four existing Communist parties; he insists, rather, that they have the same right to function as other parties so long as they do not violate the law.

Genuine democracy, however, is strong medicine for any underdeveloped nation and particularly for one so retarded by a brutal dictatorship for more than three decades. The public administration Bosch inherited is next to worthless. It is made up of political appointees who were selected not for their talents or abilities but for whom they knew, and this concept of civil service does not die easily. Recently a PRD district leader was turned down when he asked that a party member be placed in a tourist bureau job. The district leader admitted the member knew nothing of office work or tourism, but argued that the prospective appointee had worked hard to win votes. Despite all of Bosch's firm declarations against favoritism and nepotism, the party leader could not understand why his request was refused; this had been the time-honored system, the only one he had ever known during his life-time. Under President Bosch, a new era, which may be long or brief, has begun but not without encumbrances from the past.

The military forces, about 20,000 strong, are no longer headed by Trujillo's closest associates but they are far from purged of either the Trujillo spirit or the secondary Trujillistas. In July, a group of airforce officers expressed their concern to Bosch about the "spread of Communism." On the strength of their action, American newspapers reported the possibility of a *coup d'etat*. President Bosch told the airforce spokesmen firmly that internal politics was none of their business and followed up by discharging a lieutenant and a military chaplain who had initiated the complaint. Almost no Dominican, other than Bosch and his close followers, could see anything inappropriate in the action of these military men. An intermediary of the President was forced to meet for the better part of two days with the Papal Nuncio to explain the discharge of the chaplain. Even those members of the armed forces who concede that constitutional government must be upheld, argue that it is the military's role to defend the state against the "internal danger of Communism."

Rumors of a *coup d'etat* are endless. A handsome young anti-Trujillo sergeant who drove me to the northern part of the island stated as a firm principle that the army had the right to seize power whenever it felt that Communism represented a threat. The concept of the subordination of the military to civilian government has few adherents. Dr. Viriato Fiallo, leader of the main opposition party, *Union Civica Nacional,* refuses to disassociate himself from any possible *coup d'etat.* Even the pro-American trade union federation, CONATRAL, urges its followers to depend on the "armed forces" as the bastion against Communism.

There has been an unceasing barrage of pseudo anti-Communist propaganda in Santo Domingo in recent months. Every day the *Civicas,* who represent the property-owning classes, release still another blast. A news-

SIDNEY LENS, a Chicago labor leader and free lance writer, is now making an intensive tour of key areas in Latin America. Among his books are "A World in Revolution," "The Crisis of American Labor," "The Counterfeit Revolution," and "Left, Right and Center."

paper that speaks for them, *Prensa Libre,* is rabid on the subject. One of its columnists, J. Mejia, has accused Bosch of " a conspiracy between the party in power (PRD) and the Communists, long before the President took the oath of office." The same sort of propaganda is carried over radio and television, twice a day. The Communists, say these spokesmen, are penetrating every fiber of the Bosch regime and will soon seize power "unless something is done." When I asked Dr. Fiallo to name a few individuals in government who are Communists, he refused on the grounds that he might be subject to libel suits.

There is much more behind the "Communist issue" than meets the casual eye. Dr. Fiallo admits that the *Civicas* themselves were deeply infiltrated by Communists during the year they were in power prior to the elections. After Trujillo fell the *Union Civica,* a patriotic group made up of men who had fought the tyrant, organized a trade union federation. The man they put in charge turned out to be a member of one of the blatantly Communist parties. Subsequently, sixteen of the twenty-four members of the executive committee of the *Civicas* in Santo Domingo resigned and made a formal declaration in support of the Communists. Five government commissions, set up by the Council of State, which ruled the country for a year and which was *Civica*-dominated, are said to be Communist-dominated—including the important agricultural reform and planning bodies. Dr. Fiallo concedes most of this, but argues that "We cleared out the reds, the PRD is taking them in."

The more one probes, however, the clearer it becomes that the "Communist issue" is a cover for a reactionary ploy. There is no realistic chance that any of the small Communist parties, or even the larger June 14th Movement, which claims to be neutralist and nationalist but is called *Fidelista* by many observers, can seize power either through the electoral process or by violence.

At issue, it seems, is what will happen to the $300 million to $800 million in properties left behind by Trujillo himself and the additional hundreds of millions of dollars in wealth that belonged to his family. Of the fifteen sugar mills in the country, twelve were owned by the assassinated dictator. Seventy-five per cent of all industry was concentrated in his hands. Haina, the huge sugar combine now in government hands, is alone estimated to be worth between $125 million and $200 million. Hotels, cement factories, hundreds of thousands of acres of land, and many other properties of the dictator have been nationalized. This is precisely the source of contention. The *Civicas* want to lay their hands on this booty. Dr. Fiallo proposes that the Trujillo holdings, especially in sugar, be converted to share companies, with private investors holding a majority of the stock and the state a small minority. Only in this way, he claims, can confidence be generated for investment, both foreign and domestic. The Dominican right wing is also strongly opposed to Bosch's legislation designed to confiscate property which is listed in the names of others but which the government claims is still secretly owned by the Trujillo family.

What is purported to be a "Communist problem," therefore, turns out, when analyzed, to be a sharp difference in political and social philosophy. Bosch, a democratic socialist, is determined that the current and future profits from Trujillo's former wealth be used to improve the lot of the hungry mass of people.

In his four-year term of office Bosch hopes to distribute land to 70,000 of 98,000 families who own either no land at all or only one or two acres. The General Electric Company of Great Britain will soon begin work on a $150 million project at Puerto Plata in the north to build dams and hydroelectric installations that will make possible a large industrial program. In this area, one hundred factories will be built, giving work to 40,000 people. Electrical facilities in Santo Domingo are now being expanded by 26,000 kilowatts. Irrigation projects are planned to recover tens of thousands of acres for modern farming.

The current budget for education is double that of last year's. The minister of education hopes to build a thousand schools in four years, at a cost of $35 million. A contingent of 400 young men are being trained in agricultural techniques and will soon be working in the countryside to help the peasants improve on their ancient methods. In the first six months of this year the government made available $15 million in credits to small farmers. This amount was five times that of the year before, and seven or eight times the sum spent in the first several months after the fall of Trujillo. A public works project is creating jobs for 20,000 of the 200,000 men who are unemployed. Six "freedom villages," where homes will be built for sugar workers, are soon to be erected. Bosch is trying to fashion an independent civil service free of political pressures, a modern statistical system, and a realistic economic plan.

In a country which produces only $800 million of goods and services a year and where per capita income is only $200 annually, these steps constitute a formidable program. Bosch is hopeful that before his term expires he can deliver on his promise that every Dominican will eat three meals a day and that the 200,000 unemployed—twenty-five per cent of the working class—will be absorbed into useful occupations. Even under the best of circumstances this would be exceedingly difficult, for the democratic approach in an underdeveloped land can often produce an economic nightmare.

For example: During the last two years, wages in major industries have doubled. Workers who conducted national strikes following Trujillo's assassination, to prevent the reestablishment of dictatorship, are now represented by four federations of labor, each competing with the others. A worker who earned $1.50 a day in the sugar mills during Trujillo's time now receives $3.20. A sugar cane cutter has increased his pay from $1.15 to $2.50 or $3 a day, depending on how much he produces. Strikes have been frequent and the majority of

them have been quickly successful. From the point of view of the workers—and from a humanist viewpoint—these raises are long overdue. But economic laws, at least in the short run, are not necessarily consistent with humanism. National production has risen, helped by a significant increase in the price of sugar on the world market, but it has not kept up with the rise in wages. Inflationary pressures are strong and growing. Consumption of meat, rice, and many other staples has pyramided so rapidly that the country is importing many items that it previously exported. From a humanist view this is a grand achievement, but in economic terms it presents severe problems.

Furthermore, workers who slaved under tyranny so long are now exploring their new-found freedom in other ways. The porters who sweep the airport terminal and hustle baggage, forego the sweeping because it brings no tips. In the past they would not have dared to neglect this part of their job, but the feeling of liberation gives them license. Workers in a paper factory employing 150 men insist that management set a quota limiting production. There are numerous other examples of a slackening of discipline which, however understandable in a newly-freed society, nevertheless place a severe burden on a poor and struggling economy.

If Bosch's political position were more secure he could appeal directly to the people to exercise a greater degree of responsibility, to make sacrifices for their revolution. But the Dominican leader sits on a tinderbox. The attack from the right is so strident that curtailment of the left would cause defections, leaving him without a political base. Bosch won the last election because he and the head of PRD, Angel Miolan, were able to organize a large mass movement. They opened headquarters in twenty-seven provinces and formed a peasant organization of 150,000 members, an impressive number in a nation of only 3.1 million people. Their youth group fanned out into the most remote areas. Now, many PRD followers are becoming impatient. A few are drifting away to the June 14th Movement. Bosch knows that if he

Herblock in The Washington Post

"My, You Gave Me a Start! At First I Thought You Had a Beard and a Cigar"

alienates the masses he organized so well last December, he will become a victim of the rightists and the military. He therefore treads carefully, granting the bread-and-butter unionists more concessions than he would under more stable conditions.

Still another obstacle confronts the new President of a shaky Dominican Republic: While he has nominal power, final authority rests elsewhere—with the army, and, to some extent, the United States. Bosch has made no effort to reduce the military forces or to reorganize them. For public consumption he says that he keeps the army at its present size because there are no jobs for released soldiers, but in reality he is holding the line to neutralize the army, which acts as if it were a sovereign state. Only when Bosch's economic program begins to produce results can he consolidate the support of his people into a more viable force and relieve himself and his government of the present burden of the military. The United States could help Bosch by substituting more economic aid for military support and military training, but this is not likely if current U. S. policies persist.

The U. S. Embassy in Santo Domingo operates on three pivots. The Ambassador, John Bartlow Martin, and most of his staff are fairly solid in support of Bosch. They try to wheedle much-needed economic aid out of Washington, but not always with success.

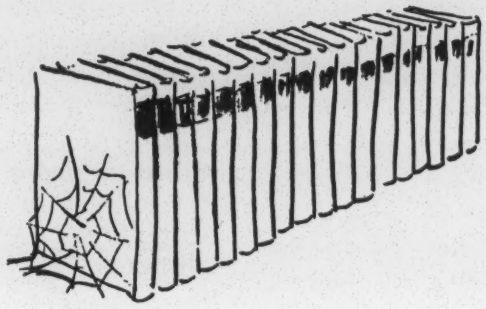
The U. S. State Department's labor attache, Fred Sommerford, plays a little game of his own, more in keeping with the over-simplified, anti-Communist position of George Meany and Jay Lovestone of the AFL-CIO than with the needs of the Bosch government. CONATRAL, the trade union federation supported by Sommerford, and to some extent his creation, is a wages-and-hours organization that claims no political affiliation. Its only pronouncements on politics are bitter diatribes against Communism. In one of its advertisements it called on the people to put their faith in the armed forces to defend the country against Communism. This kind of negativism does nothing to ease the pressures on Bosch. The Dominican President says categorically that he will not repeat the errors of Betancourt in Venezuela by trying to outlaw the Communists. If they are to be beaten, he says, it must be done by proving to the people that democracy and socialism are superior to Communism.

The third pivot is the military missions. U. S. officers sent to the Dominican Republic are competent and intelligent. They seem to understand the democratic principle that the military must remain subordinate to civilian control. But they also seem to recognize this as an axiom that applies only to their own country. In the Latin nations in which they function, they follow another rule. They are determined that the example of Fidel Castro in Cuba not be followed elsewhere, and this intention meshes with that of the native military, which also believes that it is permissible, even obligatory, to make a *coup d'etat* to curb a "Communist danger." On the day the United States recognized the military junta in Ecuador, a secondary PRD leader asked: "What can we expect here now?"

What President Juan Bosch must cope with, then, is a delicate and hazardous situation. He must buy time to implement his program of economic reform, but he faces impatience among the people generally and criticism from the Communists on the left, as well as bitter anti-Communism and the threat of a *coup* on the right. The support he gets from U. S. Ambassador Martin is useful, but, divided as is the U. S. policy, the reed he leans on is thin.

Bosch's disposition is to gain time by proceeding quietly and by compromising. An old anti-Trujillista, he has little love for an American foreign policy which aided Trujillo for so long. He knows, too, that the residue of anti-Americanism in his country is substantial, despite Martin's sincere and commendable efforts to create a more favorable impression of the United States among the Dominicans. Bosch is trying, therefore, to broaden his alliances with other countries. He secured the services of General Electric of Great Britain, not General Electric of the United States, for his Puerto Plata project. He canceled an ESSO (a U. S.-based Standard Oil Company) contract on the grounds that it was not in the best interests of his country. Yet he does not flaunt his doubts about the United States. He works closely with the Alliance for Progress. He does not reopen relations with Castro's Cuba, as he might under other circumstances. He seeks neither total independence nor neutralism, but merely semi-independence within the United States sphere, much as Gomulka does for Poland within the Communist orbit.

Bosch also compromises with former Trujillo followers, not only for humanist but for strategic reasons. In his balanced view, a purge would only deflect national consciousness for positive development toward revenge and chaos. He compromises with the military, and with many other negative forces, but his vision never recedes from the major task of building the necessary structure for economic and political democracy. If Juan Bosch can complete his program, or even get it firmly under way during his four year term, he might—just might—return happily to writing romantic novels.



Education's Industrial Revolution

by RONALD GROSS

AMERICA's schools were bypassed by the industrial revolution. While the world around them was being overrun by machines, our educational institutions remained virtually untouched by technology. Even today the machine seems out of place in the classroom. Recent developments in educational theory and practice, however, provide evidence that the technological world has finally invaded the schoolhouse.

First of all, education itself is coming to be thought of as our greatest industry, a vast enterprise employing more people than any other profession, engaging the full-time activity of at least a quarter of the nation, using a larger "plant" than the steel industry, and requiring a total budget dwarfed only by that for defense. The products of this massive industry are the "human resources" which we now recognize as the backbone of our technological society. "In the conditions of modern life," Alfred North Whitehead prophesied, "the rule is absolute: the race which does not value trained intelligence is doomed." Our appreciation of Whitehead's insight is reflected in the extraordinary title of the only comprehensive aid-to-education measure which has yet been enacted by Congress: the National Defense Education Act.

The new American reverence for education is not directed at learning as an end in itself, but at education as a means to an end—in fact, as the means of avoiding an end we have come to view as repugnant: our being outstripped in technical competition with the Russians. The new and urgent importance of the schools in our national life is thus based on a distinctly utilitarian, even chauvinist, interpretation of the role of education. Progressive education, with its dream of taking the lead in reforming and revitalizing society, is quite dead. The schools now devote themselves to "talent hunting," scouting for bright youngsters and turning them into "trained manpower." Statistics demonstrating how much a degree is worth in lifetime earnings seem to equate a college education with an investment in machinery or other capital goods—as indeed, on the most mundane level, it is.

Economists like Eli Ginzberg at Columbia and Theodore W. Schultz at Chicago have recently argued that America's advances in productivity have been caused just as much by improvements in its people's skills, principally through education, as by investment in labor-saving machines. "Nations invest—not spend—money in education," writes William J. Platt of the Stanford Research Institute. Educators promptly accepted this as

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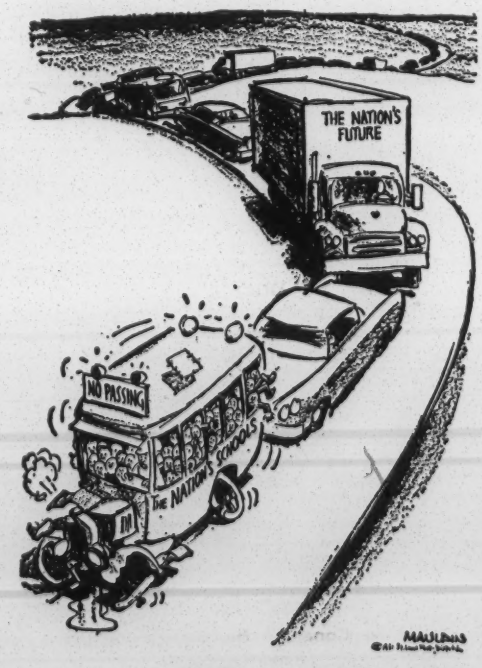
an axiom, for once the cost of education is held to be an "investment" rather than a kind of social overhead, then the natural question concerning its cost ceases to be, "Isn't it too much?" and becomes, "Is it enough?"

But the schoolmen are now finding that they have a tiger by the tail. For the concept of education as an industry brings up another new question: Is it efficient enough? To the extent that it is considered an "industry," education is expected to match the efficiency of the nation's other productive enterprises. But the business magazine, *Fortune,* has reported that educational 'productivity' has been declining since the turn of the century. Arguing that Americans are not getting a big enough return on their invested education dollar, *Fortune* calculated the efficiency of the schools by analyzing the number of pupils instructed and the time and personnel required to do the job. In their need to achieve efficiency in production, according to *Fortune,* "the schools are no different from General Motors." Unless reforms are forthcoming, "the financial difficulties of the education industry will be compounded woefully."

Responding to such rebukes, the schools have recently undertaken some unprecedented innovations. The previous great wave of widespread experimentation in American education saw the establishment of progressive institutions in the early decades of this century. These schools and colleges questioned the basic goals of education. But the wave of experimentation which has swept American education during the current decade has been concerned primarily with efficient techniques of instruction. The urgent need for technical "brainpower" has sharply defined the new national purpose of education, but it has raised disturbing questions about the effectiveness and efficiency of our schools in achieving that purpose.

The schools are overcoming their traditional antipathy to machines and embracing all manner of mechanical and electronic aids to learning. Instructional television has swept through American public education as radio and moving pictures never did; teaching machines have had a phenomenal growth in the last five years; "language laboratories," which use magnetic tape recorders to teach foreign languages, have burgeoned from fewer than 400 to more than 4,000 in four years, and are now installed in more than one-fourth of the colleges in the country and in many high schools. This flood of hardware, welcomed by educators with a new attitude toward the use of technology, and backed by a public image of the schools as productive enterprises turning out the technical skills we need to survive as a nation, justifies describing the present situation as the beginning of education's industrial revolution.

James Finn, who is studying the situation for the National Education Association, has predicted that the new instructional technology will "hit education with a million pound thrust." Finn sees two major trends. First, the development of a technology of mass instruction designed to bring the best teachers to the greatest possible number of students. The prime example is the air-borne television project in the Midwest, in which a plane is broadcasting instruction over an area that includes five million students in six states. Many of the classrooms reached are in small rural schools which could not otherwise provide a full instructional program or first-rate teachers. Secondly, Finn sees the growth of a technology for individual instruction. This includes teaching machines and programmed learning, language laboratories, and other recently-developed tools for individual study. The distinguishing characteristic of these devices is that they enable the student to teach himself, and do it more effectively than has previously been possible, because they provide new kinds of motivation, correction, and adjustment to individual pace and learning ability.



Simple as ABC

But just to bring machines into the schools is not enough. As was true in industry, the introduction of machines requires a radical transformation in the ways we use time, space, and people. Another prominent educator, J. Lloyd Trump, director of the NEA's Commission on the Experimental Study of the Utilization of the Staff in the Secondary School, has projected an image of the "school of the future" based on new technology and organization. Under this plan, which is being tested in a number of schools throughout the country, the conventional classroom of twenty-five or so students would give way to a more flexible and variable arrangement of time and resources. The student would spend about forty per cent of his time in individual study with minimum supervision, but with immediate access to a wide variety of such learning devices and materials as teaching machines, tape-recorded lessons and drills, scientific apparatus, and books. Another forty per cent of the school day would be devoted to large-group learning, in which teachers would use the mass media of instruction to present information which must be conveyed to all students. Television, films, various kinds of projectors, and other devices would make this instruction much more potent than the traditional lecture. Finally, the teacher-time saved by these two arrangements would be reinvested to provide intimate small-group or individual instruction in the remaining twenty per cent of the time.

There seems little question that

the rationalization and mechanization of the instructional process will proceed rapidly in American education during the coming decade. But the "conventional wisdom" of education, formulated before the days of mass communications and teaching machines, recoils from the prospect of a school system which would be based as much on technology as on the hallowed personal contact between student and teacher.

The extreme defenders of the status quo, including a great many teachers and many of their professional and union organizations, seem to fear that the machines will eventually displace teachers, and in the process cheat students of the values of personal classroom instruction. At the other extreme, zealous enthusiasts, frequently employed by commercial suppliers of new teaching tools, are pushing the production and adoption of teaching machines and other devices before they have been adequately tested. Interestingly enough, the extremists on both sides tend to have a financial interest in the situation. Neither the Luddite-like stand of many in the teaching profession nor the headlong impetuosity of the purveyors of gadgets is likely to prevail. There is too much dissatisfaction with the current effectiveness of American schools for the conservatives to succeed in their attempts to prevent the introduction of promising new teaching techniques, while the education profession's notorious resistance to change will prevent any wholesale acceptance of new techniques simply because they are new. Between these two extremes, however, educators will work out some balanced judgments on the opportunities and hazards of the industrial revolution in education. We may dimly envisage the kind of conclusions they will probably reach.

First, education has been inordinately timid in harnessing technology to its own purposes. It is a scandal that schools are not more efficient, and it is one of the reasons why teachers cannot be paid higher salaries. Any social enterprise which goes to the public purse for support must be prepared to show that the money it gets is being used as efficiently as possible.

Moreover, there is no evidence that the use of technology in education undermines either humanistic or democratic values in the learning process. The use of such devices may well open new opportunities for equalizing educational opportunities by making the best instruction available in every school. The last major technological development to be fully utilized in education was the printed book, which greatly reduced the student's contact with the teacher by providing an additional source of information, and whose net effect on the quality of education has hardly been detrimental. The common response of distaste to the concept of a student learning from a machine stems in part from a failure to consider the total educational process of which the machine is only one element. Just as introducing machines into the production of goods led to radical changes in every aspect of the productive enterprise, so the use of technology in education entails a sweeping transformation of the relationships between student and teacher. But there is good reason to believe that the new patterns now emerging are considerably more effective than the conventional type of classroom instruction. In many respects the machines merely do more effectively what human teachers have been forced to do for centuries: present factual material, drill, and test. By refusing to use machines, teachers have in effect had to become machines themselves. If they now use technology to relieve themselves of this drudgery, they may achieve the stature of true professionals, rather than glorified drillmasters.

On the other hand, mechanization and rationalization can so transform an activity that it loses its unique character and value; farming is an example. "We have not yet learned to enjoy the blessings of automation without sacrificing human values in any area of activity," observes Harry Broudy, professor of education at the University of Illinois. "Is there reason to believe that we can do otherwise in automated instruction? From using television to supplement the classroom teacher, it is only a step to arranging classes so that one can take advantage of the most efficient use of teaching machines. Given enough investment in automated instruction by manufacturers, publishers, and school boards, one can expect strong efforts to protect and exploit that investment."

Despite the dangers, Broudy wisely concludes that "We have no real choice but to try to outwit the machine age, to seek therein the potentialities for human values that it undeniably has." The schools have too long prided themselves on a kind of conspicuous inefficiency. Now the times demand a ruthless substitution of new pedagogical methods for old whenever the new techniques can provide more effective instruction, even if in the process we must eliminate some of the conventional amenities of school and college life.

It is possible to use machines in education without turning schools and colleges into factories. Indeed, at a time when students come in "tidal waves," technology's "labor saving" teaching devices can free the time of the best teachers for more personalized and specialized teaching. It may be the only way to *avoid* regimentation.

We can approve of the new desire to increase academic efficiency without accepting the narrowly nationalistic educational purposes which have helped bring it about. Nor need we

press the idea of education as a productive enterprise to the fatuous lengths suggested by Arthur W. Melton of the University of Michigan, who compares engineering with education in these terms: "one purposefully designing and shaping hardware to the needs of society and the other purposefully designing and shaping human software to the needs of society." What is required is the effort to distinguish between extrinsic values which adhere to any established system, and the deeper purposes which the whole system seeks to accomplish. If the right distinctions are made, the industrialization of the schools need not undermine the values which lie at the heart of the educational enterprise.

For example, small classes and personal contact with a teacher are clearly not basic educational values in themselves. If the teacher is incompetent, a small class merely gives him the opportunity to "communicate his mediocrity in an intimate environment," as the late President Charles Johnson of Fisk University put it. The value to be guarded is personal contact with an able, inspiring teacher, at a time when the student needs him most, and in as small a group as possible. At other times, the student may not need this at all, but could do much better if brought into electronic contact with a specialist via film or television, or with an expertly-produced teaching machine program. By insisting that quality education cannot take place unless the student is in the presence of a warm body, we have frequently sacrificed the genuine values of personal instruction to the formal requirements of a bureaucratic cliche.

In education as everywhere else, technology increases alternatives, opens up new possibilities. It demands of those who would use it fully and well, a firm grasp of their own basic purposes. Without such an understanding of fundamental concerns and priority goals, education's industrial revolution could bog down in a deluge of hardware. But guided by a clear understanding of educational purposes, it can lead to the most stimulating reorganization of the schools since the era of the progressives.

THE RODIN REVIVAL

by ALFRED WERNER

In an introductory note to the catalogue issued by New York's Museum of Modern Art for the comprehensive Rodin show this summer, the veteran sculptor Jacques Lipchitz recalls that, as a young student in Paris, he was completely unable to grasp what he now describes as the "immense chaotic richness" of Rodin's work. He was then startled to learn that the celebrated Rodin had praised one of the pieces Lipchitz had exhibited in a group show, and had predicted a great future for him. Young Lipchitz could have met the world-famous septuagenarian on many occasions, but deliberately avoided doing so. An obvious explanation for the young man's attitude is, of course, the conflict between the generations, for Auguste Rodin was born in 1840, Lipchitz in 1891, and in the realm of art, as elsewhere, the "son" often irrationally rejects all the accomplishments of his "father."

Yet the "grandchildren" are usually less biased, and, as Peter Selz, who staged the New York show, points out, in the Fifties the new generation began to see the work of Rodin with fresh eyes: "There was now a general predisposition in the direction of his freedom of form, his exuberance of content, and even his 'painterly' sculpture, where so much depends on the effect of light." Indeed, we are now in the midst of a Rodin revival. Last year, the Louvre finally, for the first time, honored him with an exhibition. New Yorkers have just had an opportunity to view more than a hundred sculptures (bronze, marble, terra cotta, and plaster) and some forty drawings and water colors in a show which has now moved on to the California Palace of the Legion of Honor in San Francisco.

The young sculptors of today—whose beards are as unruly as those of their confreres in Nineteenth Century France—stand respectfully before Rodin's work that ten or fifteen years ago produced only mild admiration tempered with much scepticism. Our eyes have been "retrained" during that lapse of time—we are now embarrassed about having dismissed him as a creator of gesticulating melodrama, as a victim of his own Impressionist passion for light and shade, as one whose conception was pictorial rather than sculptural. As for myself, when I saw the show, "Rodin and French Sculpture," at the Metropolitan Museum of Art in 1957, I was struck by the amazing kinship between the animated, tension-fraught bronze by Rodin and the free-swinging mobiles of our American contemporary, Alexander Calder.

In calling Rodin "a tempest, an explosion," Lipchitz, of course, did not have in mind the great man's innumerable marble pieces, products of his old age, and none really his own work (these marbles, impeccably, almost in-

ALFRED WERNER is the distinguished art critic. His most recent books are "Pascin" and "Modigliani the Sculptor."

sipidly, smooth and "perfect," were executed by artisans after clay models furnished by the master). Nor was this homage based upon the numerous portrait busts of celebrated or wealthy patrons which Rodin, himself a celebrity and a wealthy man, produced in his later years. Obviously some of the work fashioned when he was no longer the experimenter and innovator lacks his fierce vitality and intensity, but the mannerisms of his old age, and those of the numerous would-be-Rodins who aped and multiplied his shortcomings, must not blur our pleasure in the images fashioned by his fingers out of soft, yielding clay.

However, the dynamic creations that came from his studio prior to about 1900 are among the great masterpieces of modern sculpture. With compactness no longer considered an essential quality, and with much of the prejudice against "romantic" sculpture gone, we can enjoy Rodin's own enjoyment of the living forms of nature, particularly the human body, to which he devoted himself with unsurpassed sensuous abandon. Suddenly, all schools claim him for themselves, not only the Expressionists, but also the Abstract groups. He is hailed as the one who helped break up the traditional ideas of continuity of form, as a "baroque" sculptor who paved the way for the post-Cubist Lipchitz, and for Henry Moore who might endorse Rodin's statement that sculpture was the art of the lump and the hole. Some of Rodin's other statements, such as "I am . . . a mathematician, and my sculpture is good because it is geometrical," or "I feel the cubic truth everywhere—planes and volumes appear to me as the laws of all life," are being rediscovered, and applied to his own works; they are immensely more appropriate to his ambitious mature work than was his humble remark that nature was his sole master.

Rodin was basically a modeler—one of the greatest of all times. The arduous, time-consuming method of cutting directly into wood or stone was incompatible with the temperament of a master who preferred to transfer quickly into clay the spontaneous attitudes struck by his sitters, or to give immediate shape to the images born in his fertile mind. He did not pose his models but encouraged them to move freely about his studio so that he could sketch immediately whatever spontaneous attitudes might fascinate him, just as his friends, the Impressionist painters, went into the fields and woods with their sketchbooks to reap the ever-changing moods of nature. The speedy impressions of Rodin's fingertips in wax or clay (whose traces are still noticeable in the final bronzes) bear some resemblance to the swift brushwork of the sculptor's friend, the leading Impressionist painter, Claude Monet.

Yet it is not accurate to pigeonhole Rodin as an Impressionist sculptor. True, he was excited by the play of light over the rippling surfaces of shaped masses, and in an unguarded moment he said to his Boswell, the young literateur, Paul Gsell, that the only principle in art was to copy what one saw. However, his very character would have prevented this searcher and investigator from being a counterfeiter of nature. While it would not have occurred to so deeply religious and basically humble an individual to say, as his favorite poet, Charles Baudelaire, had done, that it was an artist's first business to substitute man for nature, and to protest against her, Rodin made it a point to qualify the notion that to be an artist was to be a copyist. He told Gsell, and we might do well to bear his words in mind, or rather, in our hearts:

"Art is contemplation . . . It is the joy of the intellect which sees clearly into the Universe and which recreates it, with conscientious vision . . . Art is taste . . . It is the reflection of the artist's heart upon all the objects that he creates . . . The resemblance which he [the portraitist] ought to obtain is that of the soul; that alone matters: it is that which the sculptor or painter should seek beneath the mask of features . . . All [the beauty in art] comes from the thought, the intention which their creators believed they could see in the Universe."

Although he exhibited with Monet, Rodin himself would never have been satisfied to be only a retina, registering fleeting impressions, a mere recorder of the effects of light. With his insistence on solidly constructed forms he was closer to the Post-Impressionists than to Monet, who dissolved everything into dazzling atmospheric vibrations. Rodin could never have said, "What I strive most to achieve in art is to make you forget the material," or "Nothing is material in space." These words were uttered by a younger contemporary, Medardo Rosso, the most typical representative of Impressionism in sculpture, the one who substituted the interplay of light and shadow for the interplay of volume and outline.

Rodin is difficult to fit into a category, particularly since his work is spread over a long segment of time, the turbulent years from about 1863 to about 1915. He started out as a Realist, yet in his mature work he anticipated the emotion-fraught Expressionism of a much later date. In his beginnings he was already a revolutionary, for the official art of France under the Second Empire was dedicated to neo-Greek, or rather pseudo-Greek, ideals, to a conventionalized beauty of elegance that was exactly opposite from young Rodin's unconventionally brutal *The Man with the Broken Nose.* To the bureaucracy of art in France, this head of an aging man whose battered features increased the tortured expression of the face was repellent, as was *The Old Courtesan,* that decrepit bent nude mourning the ruin of her once fair body. It was unusual to discover beauty in the seemingly ugly, and, going further, even to insist that only that which possessed no character was ugly in art; to remind the public that the emaciated John the Baptist by Donatello, the deformed dwarf by Velasquez, and the old worn-out peasant by Millet were a thousand times more beautiful than the vacant "beauty" manufactured by the Beaux-Arts professors.

Rodin angered his more conservative contemporaries by his *John the*

Baptist: instead of the immobility, the deathlike repose of most Nineteenth Century sculpture, here was shown the art of walking, a majestic movement which, decried as "illegitimate" by French critics, would have delighted an unrestrained genius like Michelangelo. It took the world years to get used to Rodin's unorthodoxy—witness the outcry against the *Burghers of Calais,* a sculpture commemorating six citizens who had offered their lives to the King of England to save their besieged city from destruction. The initial comments ranged from "too sordid" to "not heroic enough," because Rodin had dared to portray these six in their different states of mind, from defiance to disillusionment, each convincingly performing his part as to character and situation.

A critic selecting the most outstanding of Rodin's works may think of the *Burghers*—and reject it. For while each figure is superbly conceived, the group itself seems to lack cohesiveness and unity. But it was the aesthetic merits rather than the faults that caused the controversy, and a six-year battle prior to its installation in the Place de la Poste at Calais.

Unfortunately, the sculptor did not live to see the public unveiling of what I believe to be his most original, most powerful work, the *Balzac.* Rodin, however impetuous, was always careful and patient when planning and executing a work, and he spent seven years on the *Balzac* before the final version was shown in the Salon. It was greeted with indignation. The Societe des Gens, which had commissioned the work, refused to accept it, and the task of making a new statue was given to another man, a now long forgotten academician. It was not before 1939—forty years later and fully twenty-two years after his death—that Paris was ready for Rodin's masterwork.

But the Parisians of yore might be forgiven for not appreciating what to them appeared as a lumpy heavy mass, topped by an ungainly head. It required a poet to understand the significance of this work, to realize how completely the sculptor had grasped the character of the novelist, as brutally unconventional as the monument itself. The poet was Rainer Maria Rilke, once the master's private secretary, who wrote about it:

> "He [Rodin] saw a mighty, striding figure that lost all its heaviness in the fall of its ample cloak. The hair bristled from the nape of the powerful neck. And backward against the thick locks leaned the face of a visionary in the intoxication of his dream, a face flashing with creative force: the face of an element. This was Balzac in the fullness of his productivity, the founder of generations, the Master of fate. This was the man whose eyes were those of a seer, whose visions would have filled the world had it been empty. This was the Balzac that Creation itself had formed to manifest itself and who was Creation's boastfulness, vanity, ecstasy and intoxication. The thrown-back head crowned the summit of this figure as lightly as a ball is upheld by the spray of a fountain. There was no sense of weight, but a magnificent vitality in the free, strong head."

Rodin was nearly sixty before his years of poverty and struggle ended, and along with the financial rewards came numerous distinctions, including the red ribbon of the Legion of Honor, and the doctorate *honoris causa* given him by Oxford University. He traveled widely: to Italy (where he discovered for himself the greatness of Donatello and Michelangelo), to Belgium, to England (where he made a portrait of George Bernard Shaw who, he said, had the true head of Christ), and to Prague where he had a one-man show. He read little, yet was fond of Baudelaire. He loved music, especially Gluck. In the field of art, he was unusually perceptive; he owned a work of the still unrecognized Van Gogh, and was one of the first to re-discover El Greco, who had long been forgotten. Rodin, deeply impressed by the grandeur of the French cathedrals, wrote a book about them. But all of these interests, all of his participation in social life, even his numerous love affairs were subsidiary to his chief passion—the fire of creativity that consumed him until the last day of his long, rich life.

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MADISON, WISCONSIN

THE PEOPLE'S FORUM

Propaganda in the Press

Dear Sirs:

James A. Wechsler's "Propaganda in the Press' and the editorial, "Managing the News," both in your August issue, constitute a powerful indictment of the sordid conduct of much of our press. Facts of this kind lead one to wonder if our so-called free press serves the people much more effectively than does the controlled press of the totalitarian countries.

In the dictator lands the reader knows he is reading government inspired and slanted news items. But most readers in our free country don't realize that propaganda, bought and paid for in the market place, is often presented as objective news. Senator Fulbright is to be congratulated for opening a window on these shabby practices of the press, and *The Progressive* deserves our thanks for presenting the facts to the attention of its readers.

JOSEPH BRINKMAN
Haverford, Pennsylvania

Dear Sirs:

James Wechsler's piece, "Propaganda in the Press," and the quotation in T. J. Barnum's letter in The People's Forum (both in the August *Progressive*), prompt me to ask: What is the difference between a captive press doing the bidding of its authoritarian masters, and so-called "free" press willingly licking the boots of the Establishment? The significant point to be made is that, in either case, the aim of the power elite is achieved: a thoroughly brainwashed public.

THOMAS BRODERICK
Schenectady, New York

Dear Sirs:

I have read with considerable interest James Wechsler's article in your August issue entitled "Propaganda in the Press."

I am the editor of a weekly newspaper, perhaps one of that breed Mr. Wechsler refers to as "harassed . . . on some remote prairie." But let me assure you that there are many editors of weekly newspapers within my circle of acquaintanceship who resent this charge of "rubeism" leveled by Mr. Wechsler.

Believe me when I say that even west of the Hudson River there are editors who read and think and arrive at independent conclusions. We read *The Progressive, The New Yorker, The New York Times, The Bulletin* of the Freedom of Information Center of the University of Missouri, and even *The National Review*.

We do not accept, from the hundreds of news releases we must winnow through every week, such information as Mr. Taylor's that Mr. Wechsler accuses us of ingesting "to exhibit . . . erudition and . . . lack of provincialism."

We agree with Mr. Wechsler that the role played by International News Service in playing flack for Trujillo was a dastardly performance and a blot on the record of honest newspapering. But to single out an isolated instance of such a departure from ethical conduct and castigate the entire press in one blast from Mr. Wechsler's scattergun is equally sordid.

The weekly press generally has accepted its responsibility in reporting the local news accurately and in commenting candidly on affairs of the day. The few editors who do not are held in as great scorn by other weekly editors as by Mr. Wechsler.

We do not believe that we are unique in taking issue with Mr. Wechsler's snide comments in regard to "the American Iron and Steel Institute, or Barry Goldwater, and to the cause of the private utilities and other cornerstones of the American Way," and only ask if they are not entitled to the same treatment by the weekly press as that afforded COPE, or Hubert Humphrey, and the numerous committees (Migratory Workers, Free Angola, among others) that obviously have full access to the mailing list of *The Progressive*.

May I say that I have enjoyed the provocative stimulus provided by your publication. It was sent to me as a gift subscription by one of our subscribers last year. To reciprocate, I sent him a year's subscription to *Nation's Business*.

ROBERT OLSON
Editor
The Enumclaw Courier-Herald
Enumclaw, Washington

Such on Birth Control

Dear Sirs:

In all my many years of reading *The Progressive*, I have never read a more useless, snobbish, unnecessary article than "The Explosion Kick" by Theophrastus Such in the August issue.

Theo assumes snobbishly that only the rich are interested in the control of population because too many of the "wrong kind" of people are being born. There is an increasing number of persons and organizations vitally concerned with the population explosion.

Many of us do not feel that the problem merely centers about how to feed an increasing number of persons. We are concerned with the quality of life, its livability, and its purpose. Life deserves to be lived in more than a Chinese sampan.

We are not "terrified at sharing our glut" with others. We are concerned with our crowded cities, our growing slums, our suburbs which are destroying open spaces; the increasing numbers at our overcrowded parks; the pollution of our rivers and our decreasing water supply. Experts tell us that an increasing population is causing the alarming decline of some of the great African wildlife. Transportation and schools are all suffering from the population explosion. It is not a matter of "glut," it is a matter of space and philosophy.

Theo mentions the article on the Women's Strike for Peace in the *Reader's Digest*. He could have mentioned, in a less snobbish way, that the article first appeared in *Harper's*—or is he "trying to manage the news"? I thought it one of the best articles I have ever read anywhere, anytime.

Theo should be made aware that those of us concerned with the population bomb are also concerned with the nuclear bomb, with civil rights, with civil liberties, with conservation, with separation of church and state, with better schools, and with the freedom from hunger campaign.

Theophrastus Such should have used his space to concern himself with the attitude of the Roman Catholic Church and its attempt to sabotage birth control in Illinois and discussion of it in the United Nations. I would even urge him to read the first paragraph in Gabriel Gersh's article on "Italy's Haunted South" in the same issue of *The Progressive*. He might learn something. We could also send him some books on the issue.

RAYMOND MOSTEK
President
West Suburban Humanist Society
Lombard, Illinois

Dear Sirs:

Theophrastus Such certainly struck a sour note in the August issue with his "The Explosion Kick." To tie poor struggling women in with Vassar girls is a form of lower-class whining, and Theophrastus Such does himself harm by relegating himself to that mental level.

JOSEPH S. THOMPSON
San Francisco, California

Dear Sirs:

I don't know who Theophrastus Such is, and for the purpose of this letter, it really doesn't make much difference. What is really significant is the amount of information and concrete facts he manages to convey in such a limited space. I refer particularly to his article entitled "The Explosion Kick" in the August issue. It answers stacks of mail many of us are receiving about the population explosion and does so eloquently.

There are many exceptionally good articles in the August *Progressive*. Once I started reading it, I could not put it down.

ETHEL COHEN
Oakland, California

Praise for Margaret Long

Dear Sirs:

Your good magazine has done it again, this time the useful and superb writing in Margaret Long's article, "All God's Chillun" (August issue)—one more way to say that it's not the skin but what's inside: the mind, the heart, the backbone, the steering gear that counts in all of us.

An accolade to you and to Margaret Long.

MRS. MABEL GARRISON
Hartford, Michigan

Dear Sirs:

Margaret Long's "All God's Chillun" is just about the finest essay on race relations I have seen in my wide reading on the subject.

WALTER W. LYMAN
Washington, D.C.

Dear Sirs:

Give us more of Margaret Long. Her "All God's Chillun" was a minor masterpiece—and not very minor at that.

CLARA TRACEY
Columbus, Ohio

'Birch Putsch Plans'

Dear Sirs:

Perhaps you have already discovered, perhaps not.

We've been "had."

On Page 47 of the June issue of *The Progressive* is an advertisement that boldly states:

> "From the inner councils of the John Birch Society comes this exclusive story, revealing secret and public plans for Birch Putsch Plans for 1964 . . . Only $1.00 . . . from one of Robert Welch's former associates . . ."

I bought a copy and I can assure you that it isn't so. The book is simply a rehash of what others have already written on the radical Right plus some irrelevant conclusions. As I read this overpriced document, I was reminded of the "scholarly" reports of the House Committee on Un-American Activities, and of a silly little Rightist pamphlet called "Keynes at Harvard." The same waste of time—only the names have been changed to hook the reader.

J. TED DAVIS
Los Angeles, California

Dear Sirs:

Erich Fromm in *May Man Prevail?* has raised a warning about the possibility of mass paranoia in both the Soviet and Western societies as a result of cold war pressures. I am also concerned with indications of this "paranoia" emanating from the so-called Right-wing political groups in our country, and agree with your editorial statement in the June issue that we need to "counterattack with constant and extensive exposure of their preposterous tales and demands." However, perhaps before we launch the counterattack it may be wise to remove the beam from our own eyes.

I note with dismay an advertisement, on Page 47, of the same issue, offering for sale an expose of "Birch Putsch Plans for 1964." This to me is a serious charge and one that should be carefully investigated before publication. Certainly the publisher is in part responsible for the advertising content of his journal. If this "expose" is a responsible one, it warrants editorial comment; if it is irresponsible, there should be no room in your journal for it.

DAVID R. PEDERSON
Iowa City, Iowa

Favors Testing

Dear Sirs:

While I cannot speak with authority concerning the dangers of "fallout" from the testing of nuclear bombs, yet philosophically and pragmatically I cannot help feeling that these experiments will prove, in the long run, of inestimable value to the human race. The more knowledge we have of the universe in which we live, and its complex chemical composition, the better qualified will man be to solve the problem of his existence.

When dynamite was discovered, it was feared that man would "blow himself off the earth." When Benjamin Franklin invented the lightning rod, many religious people refused to make use of it; they said it was "defying the Prince of power of the air"—the devil. When the Wright brothers invented the airplane it was denounced as a wicked contraption; many said, "it was flying into the face of God."

As these discoveries and inventions, though menacing at times, proved a boon to mankind, so I believe the testing of the atom, to determine its vast potentiality and uses, will eventually prove of benefit to the human race far beyond our present day comprehension.

There should be no restrictions, no matter how dire the consequences. There should be no fear, no matter how dangerous the task, to hamper man in his search for knowledge that will help him discover the secret of life, help him solve the conditions under which he lives, and help him unravel the mystery of the existence of the universe.

JOSEPH LEWIS
Freethinkers of America
New York, New York

The ILGWU Struggle

Dear Sirs:

It seems strange to me that a magazine like yours which has written often on legal and civil rights cases, and the democratic struggles within the labor movement, has given no space to the important struggle now taking place within the International Ladies Garment Workers Union. This is clearly a struggle on the part of the ILGWU staff workers for their legal and civil rights and just as clearly a struggle to bring democracy into David Dubinsky's workshop.

Dave Sanders, in his "Labor Finds Its Place" (Contemporary Issues, June-July, 1963) correctly comments that Dubinsky's campaign against the Federation of Union Representatives (FOUR) has been disgraceful. Sanders writes, "It is not for economic but for organizational reasons that such leaderships as that of the ILGWU and the Textile Workers have fought unionization of the staffs. Dubinsky, whose campaign of firings and intimidation against the Federation of Union Representatives has been so disgraceful as to bring a finding of unfair labor practices by the NLRB, has had the *chutzpah* [gall] to advance, as an argument against staff organization, that the Garment Workers Union is not a business but a " 'mission'—headed by a $28,000-a-year missionary."

The union leadership is continuously talking about organizing the unorganized (a part of which involves organizing other non-profit "missionary" workers, such as teachers, doctors, nurses, social service workers, etc.). Just how the labor movement intends to organize these workers and face the spectacle of the leadership of a reputed union (ILGWU) developing the legal and philosophical arguments necessary in the attempt to defeat FOUR in a court battle is more than one can fathom. To date, the ILGWU leadership has filed a petition in the Court of Appeals asking for a review of the NLRB order to bargain collectively with FOUR, and a cross-petition has been filed by the Board for enforcement of its order.

CHUCK LANG
Philadelphia, Pennsylvania

Indian-American Library

Dear Sirs:

I am a young man who is the founder and operator of an American library here designed to promote goodwill and mutual understanding between the United States and India. Americans are sending their used magazines and books to us but the receipt of periodicals is less than the increasing demand.

I am employed in one of the government offices at this station and give eight hours to my office daily and four hours to my library work. My office mates and family members assist me. I have 400 readers.

An unknown American gave us a subscription to *The Progressive*. What I hope is to make our library more popular. We want to expand our program to the whole of India, with the help of Americans. We want to establish reading rooms. I want to make this work my life career. I hope that readers of *The Progressive* will find it possible to send us their used books and magazines so that we can continue to expand our program.

MADHU S. L. BEDIL
American Library
Meerut - 17
India

The Progressive in Japan

Dear Sirs:

For nearly two years and a half, we graduate students of the American Studies Department, Tokyo University, have been using *The Progressive* for our class reading and discussion. Your magazine has always been a great help to our study of contemporary America. Indeed, we feel doubly indebted to you, for through reading various articles we have been able to know not only what is going on in the United States, but also how American liberals or progressives view current national as well as international issues.

In my opinion, the most distinguished fea-

ture of American democratic tradition is that the United States has had once, and now again, a group of conscientious dissenters who protested courageously against social, political, and economic injustices tacitly accepted by most of their fellow countrymen.

While I know "conformity" has been a general tendency of the postwar American society, reading *The Progressive* has assured me that the spirit of dissent has not yet died away among you and many of the contributors to your magazine. Your efforts to call public attention to today's vital questions, and to present them in a proper light, have been really great, even through a foreigner's eyes.

Since the end of World War II, the role to be played by American progressives has become more important than in any preceding era. Unlike the progressives before the war, who were allowed to devote their energies mainly to domestic reform, they are required, first of all, to lead a world-wide movement—for now the United States shares, with the Soviet Union, most of the responsibility for keeping the world safe from an all-destructive nuclear war. In this connection, I thank Sidney Lens' brilliant essay in the February, 1962, issue for dispelling the widely-cherished illusion that by building shelters the American people can hope to survive a nuclear war.

Because of its far-reaching effect, any war between big powers with nuclear weapons would endanger the lives of hundreds of millions in other countries quite unwilling to be involved in the quarrel. So it is rather shocking for me to find that despite all their responsibility for world peace, most Americans seem to think of the recent Cuban blockade simply as "a major diplomatic success" of the Kennedy Administration.

I wish that *The Progressive* were read by more and more Americans.

YASUSHI KUZE
Tokyo University
Tokyo, Japan

Comment from India

Dear Sirs:

I am deeply obligated to you for the copies of your great and bold magazine, which I have received for a number of years. I and my friends on the staff of *Ambala Tribune* believe there is no other publication like it—so fearless and so forthright.

It has taught us many lessons in liberalism and made us shed our fears. It has given us a new angle on the United States—that of the New Frontier (long before John Kennedy assumed office). We are grateful to you.

PREM DUTT MOHINDRA
Ludhiana, India

Back Copies

Dear Sir:

Following the example of Mrs. Newton LeVine of Philadelphia, I too offer to send back copies of *The Progressive* to institutions or individuals who can make good use of them.

MRS. FREEMAN D'VINCENT
5403 Beaumont Avenue
La Jolla, California

BOOKS

Intellectuals and American Life

by WILLIAM R. TAYLOR

THIS big, important book, although it has already attained an unusual critical notoriety for an historical work of such analytic density, seems destined to move with regrettable speed from a brief moment of public attention to the obscurity of library shelves and college reading lists, a profoundly ironic turn in view of the author's intention. It has been widely reviewed, mostly by professional historians and mostly unfavorably, yet it has kicked up no lively controversy and aroused few defenders. So far at least, it has been the occasion for more *jeux d'esprit* than serious critical examinations.

In addressing himself, in the way that he does here, to the enlightened self-consciousness of his contemporaries on such an emotionally loaded topic, Richard Hofstadter has risked the hazards that lurk wherever stock responses are invited. It is a risk he has taken before. He has never felt himself bound as an historian by the conventions which characterize most of the American history being written today. He has consistently resisted the role of the expert who steeps himself in the primary sources of a particular subject or period and then speaks to his professional colleagues in documented articles and monographs, nor has he attempted to write a general history of any particular phase of American development.

All of his books—his study of social Darwinism, his well-known *American Political Tradition* and his *Age of Reform*—have ranged widely across contentional subject and period barriers, and have been cast in the form of historical essays, freely interpretive, and almost personal in their point of view. All of these books, furthermore, have made extensive use of the work of other historians, upon whom he has drawn for factual data, interpretive insights, and critical comments on his own writing. Finally, all of his books have been either explicitly or implicitly topical, and have taken their departure from some present social or political concern. In this sense, his historical writing has been instrumental in character, and he has been consistently preoccupied with excavating a "usable past."

It would have been surprising if *Anti-Intellectualism in American Life* were an exception. It is not. On the contrary, most of these characteristics of his quite personal historical "style" have here been carried to the limit. In his quest to provide historical roots for his assessment of American attitudes toward the life of the mind he has ranged back and forth over the course of American history from the period of settlement to the very recent past, and the scope of his investigation has touched on every major aspect of American culture: religious life, politics and reform, business,

ANTI-INTELLECTUALISM IN AMERICAN LIFE, by Richard Hofstadter. Knopf. 433 pp. $6.95.

science and technology and education.

Similarly, Hofstadter has turned his glass on all phases of the social spectrum, from the gentleman to the farmer, labor leader, and radical intellectual. Anti-intellectualism as a theme is much broader and much more explicitly topical than any other subject he has previously tackled. The book, we are told at the outset, "was conceived in response to the political and intellectual conditions of the 1950's." More specifically, it was the virulent anti-intellectualism of the late Senator Joseph R. McCarthy and the low intellectual tone of the Eisenhower-Nixon campaign in 1952 which induced him to undertake the present study.

The result of this long and arduous process is a courageous and honest book, the effort of an historian to come to terms with the pressures playing over the intellectual life of his own generation and to cast them into historical perspective. In the course of doing so he raises almost inadvertently a number of interesting questions, questions about our contemporary culture, the present dilemma of liberalism and, by implication at least, the state of historical studies in America. What on the surface appear to be palpable faults—and Hofstadter anticipates us in the recognition of them—turn out to be rather singular virtues. This *is* a "personal book" rather than a "formal history," and in its organization it often seems "impulsive" and it is certainly "fragmentary." Nonetheless, the note of candor and tentativeness with which the book opens is sustained more or less throughout, and there is very little of the glib self-assurance and sophisticated smugness which has sometimes marred his work in the past.

Early in the book Hofstadter comments that "American intellectuals have a lamentably thin sense of the past," and it has been his purpose, one gathers, to show the complicated set of circumstances that prepared the way for the outburst of McCarthyism in the early Fifties. He conceives of anti-intellectualism, furthermore, in terms sufficiently broad to include far more than the highly publicized attacks on professors, radicals, and esthetes.

For him anti-intellectualism is the more general malaise which produces "a resentment and suspicion of the life of the mind and of those who are considered to represent it; and a disposition to minimize the value of that life." At the root of this resentment is a growing estrangement between those men whose pursuits are predominantly intellectual and the population at large, a process which can be traced, he feels, from at least the early Nineteenth Century. The disappearance of an educated ministry, of the cultivated gentleman from politics, and of the cultivated merchant from business life, and their replacement by the fundamentalist, the democratic politician, and the Babbitts had the effect of removing men of intellect from places of power and influence to the periphery of society and to quiet backwaters where their criticism of society was both ineffective and irresponsible.

From the end of the century to the present, Hofstadter sees two strains of intellectuality assuming increasing prominence in American life. The first of these strains was made up of men of more and more highly specialized training, lawyers, technicians, experts of all kinds, men of intellect rather than intellectuals but nonetheless the objects of considerable suspicion and discomfort on the part of those older, rurally-oriented Americans who saw them as aliens, felt their growing influence, and more or less grudgingly made use of their services or sought their advice.

The second strain is represented by a fairly coherent intellectual class which Hofstadter sees developing after the 1890's, artists, free-lance social critics, professors, and others—"ideologues" is the name he gives them—uncontaminated with the responsibilities of power. These intellectuals, through their association with areas of speculation with little practical bearing, their seemingly unpatriotic criticism of American institutions, and their long affiliation with the political left, contributed generously to the composite popular image of the intellectual life: fear of the expert for his power and influence and fear of the "ideologue" for his flaunting of conventional pieties, for his devotion, in other words, to Bohemia and to revolution, have produced the cyclical recurrence of anti-intellectual pogroms since the Progressive era.

The intention behind this line of reasoning has been to make the events associated with McCarthyism appear less flukish and hence less alarming by showing that they had a history and were prompted by popular revulsion to the intellectual Marxism of the Thirties and the "Brain Trust" of the New Deal. It would be a mistake, however, to assume that Hofstadter set out to write a message of reassurance for American intellectuals. His principal objective, which is most apparent in his concluding pages, has been to alert them to the perils of living in an intellectual world divided between alienated intellectual critics and mental technicians or servants of power, a polarization of intellectual functions which he sees as deeply unhealthy, and, he seems to suggest, dangerous as well.

It is at this point that Hofstadter's argument touches a sensitive nerve in the contemporary debate over the obligations of American liberals, and it is characteristic of him that he has refused to align himself with either of the opposing camps: the so-called "new realists" like Arthur Schlesinger, Jr., who insist that liberalism can flourish only amid the sobering responsibilities of power and decision-making, and the "utopians," as their opponents have taken to calling them, who believe that the vital function of the liberal is to subject the establishment to a steady barrage of criticism and that this critical posture can be preserved only by keeping the intellectual uncommitted. For Hofstadter the solution to this dilemma lies in a sense of intellectual community sufficiently open and pluralistic to allow for a variety of intellectual styles and a continuous exchange of experience and points of view.

It seems to me possible, and I would guess probable, that a great many readers may find Hofstadter's analysis of America's contemporary cultural predicament unexception-

able (though they may, as I do, find his prescription somewhat quixotic), while finding certain parts of his history neither convincing nor even particularly relevant. In the first place, it seems impossible during large parts of our history to distinguish between a resentment of intellectuality, high culture, and rationality and a resentment of those classes that appeared to have monopolized them. Social antagonisms and aspirations, rather than a hostility to learning as such, seem to underlie much of the abuse visited upon the kind of education represented by the upper classes, and it is interesting to note that many of these critics of learning, as soon as they were able, duplicated insofar as they could the kind of learning they had repudiated a few years before. Also, there is a continual temptation in intellectual analyses of this kind to overlook concrete political circumstances, as when the Presidential race between Andrew Jackson and John Quincy Adams is viewed as a popularity contest between democracy and intuition on one side and aristocracy and sterile intellect on the other.

Furthermore, there seems to be some confusion between those agencies of culture which actually produced anti-intellectualism and those which simply appealed to and exploited already existing sentiments. It is difficult to believe that either Billy Sunday or Norman Vincent Peale actually instilled the sentiments which subsequently enriched them, and it therefore seems odd that their utterances should be considered on a par with the theories of common school education which presumably conditioned their clientele.

Finally, in a book that concerns itself to the extent that this one does with the heritage of anti-intellectualism for our own time, it might have been useful to explore a little further the pressures exerted on our intellectual yeomen by their employers and benefactors, the universities for which they work, the foundations that contract to free them for their most creative labors, and the publishers for whom they write. The quality of our intellectual life tomorrow, and more specifically the quality of our history, is to be powerfully influenced, one would suppose, by these relatively new and, so far, elusive forces in our culture.

Myth and Reality

How the Far East Was Lost, by Anthony Kubek. Henry Regnery. 480 pp. $8.75.

America's Failure in China, 1941-50, by Tang Tsou. University of Chicago Press. 614 pp. $12.50.

A Man Must Choose, by Eric Chou. Alfred Knopf. 302 pp. $5.

Reviewed by
William L. Neumann

To cry for the moon, to want to eat only candy and ice cream, and to persist in major shopping expeditions despite an empty purse are obvious signs of immaturity. What diagnosis can be offered for similar attitudes expressed in American viewpoints about Asia? Are the reversals in Asia which these aspirations finally faced the creation of a Communist conspiracy, hatched in the offices of the State Department, Johns Hopkins University, and the Institute of Pacific Relations? Or must these attitudes be understood in terms of the American past and the realities they encountered seen as part of Chinese history?

Anthony Kubek, described as having had the scholarly training for a doctorate in history, has written *(How the Far East Was Lost)* what will be the classic example of the child's view of Asian-American relations. He assumes that any and all goals were achievable by the United States. Kubek begins his fantasy with the charge that as a result of Lend-Lease, "Roosevelt, not Stalin, shaped the growth of modern Russia." The rest of the book is primarily devoted to the thesis that Stalin, not Roosevelt nor Truman, shaped modern American foreign policy. The final chapter, devoted to proving that there can be no real break between Moscow and Peking, reads like a Sixteenth Century denial of a Protestant-Catholic division, impossible because both groups draw for doctrine on the same Biblical writings.

Tang Tsou's volume *(America's Failure in China, 1941-50)*, despite the similarity in subject matter, has almost nothing in common with the Kubek book except agreement that American Far Eastern policy ended in a fiasco. The implication of Kubek's title is explicitly rejected; "no one can lose something which he has never possessed." The question which Tang Tsou explores in great detail is why Americans persisted in believing otherwise and in trying to achieve the unachievable.

Beginning with the issuance of the Open Door notes in 1899 and 1900, the United States aspired to control the course of Chinese foreign relations. But the implementation of these aspirations was to be purely verbal. Even when American protest notes went unheeded, "a nestful of tenacious myths" was built to encourage the belief that words were enough. As early as the 1920's a foolish Senator could claim without contradiction that Secretary of State John Hay had only waved his hand and thereby stopped European plans for the partition of China.

Prior to 1941 most Americans believed that China was not worth the sacrifice of one American life. After a costly war Americans believed that even if their interests in China were worth a great deal, they could be secured without military sacrifice on their part. Not even the most extreme of the pro-Chiang Americans, such as former Representative Walter Judd, one of the heroes of Kubek's account, were willing to advocate the use of American troops to keep Chiang in power on the mainland. It was only the denial of "proper aid" and "mor-

THE REVIEWERS

WILLIAM R. TAYLOR is an associate professor of history at the University of Wisconsin who specializes in American intellectual history. He wrote "Cavalier and Yankee: The Old South and American National Character." WILLIAM L. NEUMANN is a professor of history at Goucher College. His new book, "America Encounters Japan: From Perry to MacArthur," will be published this month. RONALD E. SANTONI teaches philosophy at Wabash College in Indiana. He is co-editor, with John Somerville, of "Social and Political Philosophy," an original paperback anthology just published by Anchor. STEVE MARINAKIS is a free lance reviewer.

al support," in Kubek's words, which helped to bring about Chiang's fall.

In a lengthy and thorough analysis of American statements and writing about China in the postwar period, Tang Tsou finds this traditional optimism pervading the writings of such naive individuals as the late Ambassador Patrick Hurley as well as the more sophisticated and sometimes suspect writings of the Institute of Pacific Relations specialists. He does not devote himself to the difficult task of differentiating the fellow travelers and crypto-Communists from those who saw the strength of Chinese Communism without the help of ideologically tinted glasses. He does argue, however, that the relative unimportance of ideology in American politics made it easy to dismiss, from an American viewpoint, the role which a few feared ideology would play in shaping Chinese Communist foreign policy. (Since the 1950's Americans seem to have overcompensated in this respect, so that every Communist move must now be explained by directives from Marx or Lenin.)

Finally, Tang Tsou insists that more than any other single person, Generalissimo Chiang Kai-shek was responsible for what happened in China, "for responsibility goes with power." Although it is this thesis which has enabled the defenders of Truman and Acheson to avoid examining more critically the shortcomings of American thought, so well analyzed by Tsou, it may well be the soundest judgment when Chinese history is viewed in a longer perspective.

If there are those who believe that the People's Republic of China has escaped the characteristic marks of totalitarianism, Eric Chou's book, *A Man Must Choose,* offers devastating proof to the contrary. Readers familiar with Arthur Koestler's *Darkness at Noon* will find some interesting parallels between Stalinist Russia and Mao's China in this account of the "re-education" of a pleasure-loving, bourgeois Chinese newspaperman. Missing, however, is the Stalinist assumption that political heretics are lost forever and must therefore be liquidated. Chou's captors had such faith in their ideology and its power to redeem that they returned him, after lengthy brain-washing, to his old post in Hong Kong from which he fled to Britain. He tells us little about life inside China, but a good deal about the mentality of the brain-washers.

Tribute to Decency

COMMITMENT, by Willard Uphaus. McGraw-Hill. 266 pp. $4.95.

Reviewed by

Ronald E. Santoni

WILLARD UPHAUS' book, *Commitment,* is a work of the spirit. It is warm, sensitive, penetrating, and inspiring. It is not only an engaging account of an unusual trail which led from an Indiana farm to a New Hampshire jail, but a stirring autobiography (written for the most part in jail) of an unusual human being who chose imprisonment rather than violate his conscience. It involves not only a telling reminder of the horrors of war and other human indignities, but a passionate testimony in behalf of peace and the dignity of man. It represents not only a frightening recounting of the hysterical witch-hunting of the McCarthy era but an earnest call for a rededication to civil liberties and human freedom. It depicts the author's quest for and commitment to authentic existence. It is a witness for human integrity.

A simple but devout Christian background, together with early liberal influences, had much to do with shaping Uphaus' humanitarian concerns. His Christian family tradition imparted to him a faith which flowed into a sense of "moral uprightness," a regard for human brotherhood, and a view of men as "living souls." At Earlham College this faith was nourished and cultivated by his acquaintance with the Quaker notion of the Inner Light—the view that there is a little part of God in every man.

Uphaus' encounter with the writings of Emerson and Thoreau had a lasting

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impression on him: from these men he gained increasing respect for individuality and learned "the great lesson of the Declaration of Independence," that authorities must be resisted when their demands require the violation of individual conscience. As a delegate to the World Student Christian Movement in 1912, he came under the influence of a group of "towering international-minded Christians." This broadening experience put an end to his native provincialism and marked the beginning of an involved concern for the whole world. "Above all nations —humanity" (the theme of his first international conference) became for him the pervasive theme of his existence.

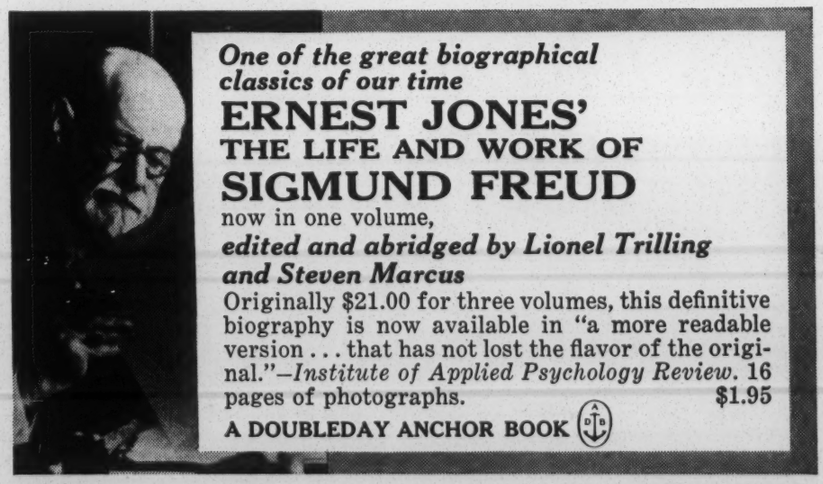
Resolute commitments grew out of Uphaus' expanding sensitivities. At Yale, he helped to effect a change in the administration's policy of racial segregation in dormitories. Months later he taught religious education at Hampton Institute, a college for Negroes in Hampton, Virginia, and soon after at the YMCA graduate school in Nashville, Tennessee. After an abortive attempt to establish a new department of religion at Hastings College, where his theological liberalism and "social action" conception of religion raised eyebrows and forced his resignation, he became executive secretary of the newly-formed Religion and Labor Foundation, to which he gave seventeen dedicated years of his life.

The Foundation had as its primary purpose the task of bringing together representatives of religion and labor and coordinating their attempts to alleviate the suffering and needs of the unemployed during the Depression. As Willard Uphaus worked strenuously in this common effort to further social justice, he increasingly saw the need for "a new order based on Christian social ideals" and realized that the necessary starting-point for significant progress was peace. This realization induced him to assume a leading role in the 1950 Mid-Century Peace Conference in Chicago and to accept an invitation to the Second World Peace Congress scheduled in Sheffield, England. Scotland Yard's on-the-spot denial of entry into Britain of one-half of his fellow delegates forced a transfer of the Congress to Warsaw, Poland, where Uphaus was invited to make one of the two American addresses and to take a ten-day tour of the Soviet Union. His participation in these events, premised on the conviction that peace and other problems of men transcend political ideological alignments, led to his dismissal from the Religion and Labor Foundation.

The end of Uphaus' association with the Foundation was soon followed by the opportunity to take over the leadership of World Fellowship Center in New Hampshire. Uphaus saw World Fellowship as an answer to our age's fundamental need for world unity and world consciousness.

The rest, and most frustrating part, of the Uphaus story is scarcely credible to anyone not acquainted with the McCarthy era. The state of New Hampshire took to Red-hunting and surmised that World Fellowship would be happy hunting grounds. Uphaus was asked to produce guest lists of those who had attended his Fellowship. He refused on legal, moral, religious, and human grounds. A six-year conflict ensued between an ambitious state attorney-general and a fervent humanitarian, between "the conscience of a human being and what was felt to be an unjust demand of a state authority." For Willard Uphaus, the contest culminated in a one-year's confinement to the Boscawen jail, but not in a loss of individual authenticity or altruistic concern.

For all who, with Thoreau, believe that "we should be men first and subjects afterward," let the Uphaus imprisonment serve as a reminder that the struggle for human liberties is not just a platitude but a reality. Willard Uphaus' commitment to his convictions is a tribute to human decency.



Among the Redskins

NIGHT AND SILENCE. WHO IS HERE?, by Pamela Hansford Johnson. Scribner's. 247 pp. $4.50.

Reviewed by

Steve Marinakis

IN *Night and Silence. Who Is Here?* Pamela Hansford Johnson successfully invades the territory left vacant by the death of Rose Macauley. The hero of her new novel is an English bachelor, Matthew Pryar, in the United States on a visiting fellowship at a New Hampshire college. Fifty-one, looking thirty-eight, with nothing to show for his years but a few monographs in British literary quarterlies and an essay in "Botteghe Oscure," he has decided to leave his mark on the world by writing the definitive work on the poet, Dorothy Merlin, entitled "Dorothy Merlin: Tentative Steps Towards a Synthesis of Imagery."

His next door neighbor at the Center for Advanced Studies is a Dickinsonian scholar, insanely trying to prove that the New England poetess was a hopeless alcoholic ("Thunder in the room" obviously describes poor Emily's bursting head when suffering from a hangover). Other characters are Carlo Tiepolo, the sociologist, who knows in just which filing cab-

inet the Slavonic expert, Miss Groby, conceals her six half-empty, but always replenished, bottles of Scotch; the zoologist, Hefflinger, the reincarnation of Bela Lugosi, whose pets, long-legged hairy *araneae,* find their way into grand pianos, and provide a hell for the mediaevalist, Miss Corall; the mathematician, Wohlgemutt, stolid, humorless, who approves of the dismal situation at Cobb College, "the third richest college per capita in the United States," with its puritanical thoroughness in ensuring that everybody has a dull time in the richest country in the world.

The plot centers on this very lack of the social amenities, and of how Pryar, lost among the redskins, becomes filled with ambition and a sudden lust for power; he begins to see himself as the worthy successor of old Dr. Parke, age fifty-seven, the chairman of the Center for Advanced Studies, who is about to retire. The first step, Pryar decides, will be the construction of an inn that will remain open past 7 p.m. and on weekends, so that strangers arriving on Friday evening will not have to wait forty-eight hours, as he had done, for a bite of food. Naturally, he fails, having little understanding of New England masochism when comfort is involved, but is consoled by an American heiress, a Lady Bountiful, whose cool, expert handling of every trying situation provides a trusty bulwark against the innocent bungling of the American academic world.

Miss Johnson presents this gallery of American portraits with good humor and the painter's critical eye for human frailties; her wit is sharp and astringent, but never cruel. She is a craftsman of the first order, possessing that prime attribute of the novelist without which all others are worthless: She makes one want to turn the page. Her clear satiric eye, her relish for character, her understanding of the complexities of human relationships, her clever dialogue (though occasionally an American character lapses into the English idiom), her style, all work to make this novel an excellent comedy of present day America.

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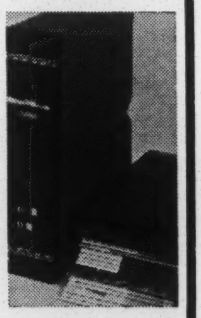

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ARNOLD FORSTER
General Counsel

October 17, 1963

Mr. Emory Via
School for Workers
825 Extension Building
University of Wisconsin
Madison, Wisconsin

Dear Mr. Via:

Enjoyed chatting with you yesterday when you called to discuss recent trends and developments in the area of bigotry. I hope that you were able to gain some helpful perspectives.

Attached are copies of the ADL Bulletin for all of 1963 and selected issues of the "Facts" on Schwarz, Hargis, the John Birch Society, the Ku Klux Klans and the 1960 election campaign. These may well fill you in further.

I am sending copies of this to Alex Miller to let him know about your kind remarks about past cooperation, and to Saul Sorrin in our Wisconsin Office. I trust that you will be in touch with Sorrin for future liaison which may be mutually helpful.

With kindest regards, I am

Sincerely yours,

Wm G Pinsley

WILLIAM G. PINSLEY
Fact-Finding Department

WGP.rs

cc: Alex Miller
Saul Sorrin, 623 N. Second St.,
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Emory, Do we know what that is? Jim

November 14, 1963

Dear Fellow Unionist:

Labor appears quite preoccupied in fighting the radical Right. Mountains of literature have appeared, some rallies have been held, an excellent service, Group Research, has been formed, and the Right Wing menace creeps into just about every labor speech given these days.

There are a number of good reasons for labor's concern. Certainly, hate groups are out to destroy unions and they have destroyed both existing unions and organizing drives. Too, we don't like being put into the same bed with the Communists by the Rightists and we are enraged by their questioning of our loyalty to America. They can block progressive social legislation; they can pass restrictive labor laws; and if they become more powerful, they could push us into a world war.

But what are we doing about all this? With Group Research, COPE, and the labor press we certainly are equipped with facts about the Right, but what have we done to perfect techniques in combatting the Rightists?

This has been brought home to me by thoughtfully critical persons attending education sessions on the subject. What are we for? What are our goals? What can concerned people do? What are others doing? Can we spell out specific ways of launching education and action programs?

Unless we give unionists some plan of concrete action, it seems to me we are only wasting words.

This explains the enclosed "Speak Up for Democracy" leaflet and the coupon. The URW Education Department hopes to begin an information exchange on what labor and other groups are doing to fight for our democratic liberties.

I want to ask you to do two things: (1) Fill out the enclosed coupon to be put on our mailing list; and (2) Send us information on techniques you have employed to fight extremism and/or to fight for the extension of human rights and liberties.

Yours in the battle for extending American liberties!

Fraternally,

William L. Abbott

William L. Abbott
Education Director

WLA:jjb/oeiu 339
Enclosure

OCTOBER 25, 1964

The New York Times Book Review

An Arsenal Of Facts

DANGER ON THE RIGHT. By Arnold Forster and Benjamin R. Epstein. 280 pp. New York: Random House. $4.95.

By ALAN F. WESTIN

ONE evening during the late spring of 1962, as part of my research for an article on corporate connections with the radical right, I attended a public meeting in New Jersey at which Dr. Fred Schwarz of the Christian Anti-Communism Crusade was the featured speaker. The hall was filled with a predominantly enthusiastic crowd. As I entered, I noticed someone who looked quite familiar methodically picking up the literature that was being distributed at a table outside the auditorium.

Later, I found myself sitting only one row away from this same man, who was carefully taking notes during Schwarz's main presentation and the lively question period that followed. It bothered me that I knew the man but couldn't bring his name and identity to mind. Then the light flashed, and I felt doubly foolish for not having realized at once who it was—a staff member of the Anti-Defamation League, obviously on "evening assignment" at the Schwarz rally.

"Danger on the Right," as its co-authors acknowledge in their preface, is the product of just such first-hand research by dozens of A.D.L. staff members throughout the country. More than that, it represents the collective wisdom of one of the most useful private organizations in the United States. With the publication of this book (timed so perfectly on the eve of an election in which the future influence of the radical right in America is a central issue), the A.D.L. places all of us deeply in its debt.

THIS is the most detailed, accurate and factually complete popular description of the radical right that has yet appeared—its groups, leaders, doctrines and especially its financial supporters. Because it does not rely on hard-breathing rhetoric to supply missing bricks of fact, it is not just another exposé, but an indispensable book for every American citizen who wants to know the "who, what, and how much" of the radical right.

Benjamin Epstein, the A.D.L.'s National Director, and Arnold Forster, its General Counsel, divide their portrait of the ultra-right into two sections, with a chapter for each organization and leader that they treat. The first section, "The Radical Right," has chapters on the John Birch Society of Robert Welch; the Christian Anti-Communism Crusade of Dr. Schwarz; the Christian Crusade of Rev. Billy James Hargis; the National Education Program of Dr. George Benson; the 20th-Century Reformation Hour of Rev. Carl McIntire; the Manion Forum of Dean Clarence Manion; Life Line Foundation and Dan Smoot; the Church League of America under Edgar Bundy; the Conservative Society of America under Kent and Phoebe Courtney; and the Liberty Amendment Committee of the U.S.A., led by Willis Stone. Out of an estimated 500 right-wing organizations, the book concludes that some 26-27 represent "major groups." The 10 discussed above, in the authors' view, are the most influential and lively of the radical-right component among the 26-27.

The second section, titled "The Extreme Conservatives," dissects five leading groups among the organizations that do not adopt the pure, full-strength doctrines of the radical right—but do espouse many of the same ideas, join in common rallies and causes, have overlapping directorships, and often enjoy the financial support of the same rightist "angels." This section focuses on Americans for Constitutional Action, led by Admiral (Ret.) Ben Moreell; Human Events, under James Wick; the Intercollegiate Society of Individualists; Young Americans for Freedom; and The National Review of William F. Buckley, Jr.

Methods

RADICAL Right groups do not essentially seek to create new political parties. Rather, they seek by concerted propaganda drives to change the political climate in the United States, to turn the winds slowly their way. They do so by penetrating and influencing both major political parties. And in this effort, the John Birch Society has emerged as the strongest of such organizations.—*"Danger on the Right."*

In each chapter, "Danger on the Right" does four things. It traces the history of the organization's formation and growth; presents representative quotations of the group's positions; describes who controls the group, and who makes up its leading directorate; and reveals the major financial support behind each group—which the authors state adds up to more than $14,000,000 being pumped yearly into the pipeline of the radical right, primarily by wealthy individuals and large corporations. All of this material is presented with literary verve and succulent quotations. It succeeds perfectly in pinning each wildly fluttering ultra-right butterfly to its proper page in the specimen book.

Already, press accounts of the facts presented in "Danger on the Right" have evoked angry denials by some of the people and groups mentioned, and threats of suits for libel. There have also been furious denunciations of the A.D.L. as a "Jewish secret service" agency, long a favorite charge of the anti-Semitic organizations that were the subjects of earlier books by Forster and Epstein.

Despite the inferences of "planted" agents and hidden tape recorders, the clear truth is that the A.D.L. presentation is based on the public record: the public speeches and published writings of the rightists themselves, newspaper reports of their meetings and memberships and financial reports required by Federal or state tax and administrative agencies and open to public inspection. The A.D.L. has been systematically collecting and filing such clippings, publications and financial records for at least three decades. When the radical right expanded in the late 1950's and early 1960's, the A.D.L. simply expanded its coverage accordingly.

THE result of this fact-finding operation is the material with which to expose the radical right through its own words, deeds and associations. The last element—associations—is perhaps the most distinctive contribution of this book. Many other writers and organizations have discussed the ideology, publications and meetings of radical-right groups. But the A.D.L. surpasses everyone else in two respects—documenting the fact that many leading radical-right figures have also been associates or supporters of well-known anti-Semitic or hate groups, or have given them financial support, and showing the connections between the radical right and the extreme conservatives.

The decision of the authors to focus almost exclusively on the speeches, writings and interconnections of the ultra-rightists, and to devote only a handful of pages to larger socio-political analysis, is in one important sense the great strength of their presentation. It lets the public judge. It shows a confidence that the civic consensus in America will recoil from the positions of these groups, that exposure represents the best policy of counter-action, the only approach consistent with the A.D.L.'s own commitment to democratic ideals.

One could still wish that the authors had not carried this policy through quite so rigorously. There has been a wealth of excellent analysis done by social scientists on who joins radical-right groups and why; there have been others on the social dynamics of ultra-right organizations. With the exception of casual references to one social-science report of this kind—and far from the best one at that—"Danger on the Right" does not use these analytical resources, or even popularize them in the authors' own words.

Warnings

RADICAL Rightists urge people to watch out lest coddling of labor unions brings the welfare state one step closer. . . . They shout to beware of social security as a large step forward to socializing the Republic. They signal an alarm that the income tax is simply a means of pauperizing the rich in favor of the poor in order to communize the United States. They admonish in urgent voice for all to believe that the United Nations is a weapon the enemy is using to destroy American sovereignty. — *"Danger on the Right."*

In addition, there is not as careful and complete an analysis as one would like of the borderline between radical right and extreme conservative. In describing the *fact* of interconnections, the book does superbly. It is completely sound in saying that when "hard" conservatives do not police their own border against infiltration, they deserve to be judged harshly for any blending of causes that results. But some of the statements on extreme conservatives being "soft on the radical right" have a troubling ring to them, one that could have been avoided with more attention to systematic analysis.

The vacuum is all the more evident when one considers the excellent studies the A.D.L has itself produced—or drawn on from special articles in their publications on discrimination and prejudice. Presented in the same lively fashion, such analyses are both valuable and necessary for the general reader. However, the basic value of the book remains, despite this lack.

Here is an arsenal of facts for harassed civic leaders in communities throughout the nation. Next time the Birch Society begins to bully a school board, or Americans for Constitutional Action condemn a congressional incumbent for his "pro-Communist" voting record, or a major national corporation begins to saturate the communities around its plants with National Education Program films on "Americanism," "Danger on the Right" will provide community leaders with the ammunition to fight back, through exposure of what these groups really believe, say, and do.

A copy of the book belongs on the shelf of every person who is active in the civic life of the nation, just as a manual on poisons belongs in the medicine chest.

Same Rev for EFV Order E.F.V.

Mr. Westin, who teaches at Columbia, writes frequently of political extremism. He is a contributor to "The Radical Right," a symposium edited by Daniel Bell.

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political memo from COPE

GEORGE MEANY, *Chairman* **WM. F. SCHNITZLER,** *Secretary-Treasurer* **AL BARKAN,** *National Director*

NO. 24-64 NOVEMBER 30, 1964

Squeakers Prove One Vote Counts

It's been proved as often as it's been said: One vote counts!

While everyone's eyes were on President Johnson's landslide election as results poured in November 3, scores of races—for the U.S. House, U.S. Senate and governor's seats—were being decided by a relative handful of votes.

In 63 contests, the winner emerged with 52 percent or less of the total vote. In all, 495 contests were held, so it works out to a ratio of one in eight where a razor-thin margin decided the outcome.

Seven of these were Senate races, and they were real squeakers. In Nevada, liberal Sen. Howard Cannon (D.) held his post with a bare 50.1 percent of the vote. The outcome is subject to recount. In Ohio, pro-labor Sen. Steve Young (D.) withstood the challenge of Robert Taft Jr., capturing 50.2 percent of the total vote. And in Oklahoma, Fred Harris (D.) scored against former Oklahoma University football coach Bud Wilkinson to win with 51.1 percent.

In Pennsylvania, incumbent Sen. Hugh Scott (R.) regained his seat with 50.6 percent of the vote, defeating liberal Genevieve Blatt.

In three other Senate races, extreme conservatives won out over liberals. Delaware Sen. John J. Williams (R.) was returned for a fourth term, notching 51.7 percent of the vote. In California, President Kennedy's former press secretary Pierre Salinger, was defeated by ex-movie star George Murphy who won 51.3 percent of the vote. The same margin put Goldwater friend and

(Continued on Page 2)

THE BIGGEST NUMBER OF THEM ALL

1

IN AN ELECTION IT COUNTS

(Continued from Page 1)

supporter Paul Fannin into the Senate from Arizona.

In governor's races, six contests were decided by less than 52 percent of the total vote. In the closest of them, John Volpe (R.) won in Massachusetts with 50.5 percent. Volpe knows how much one vote counts. He was governor of the Bay State from 1960 to 1962. He lost two years ago to Endicott Peabody by 50.1 percent of the vote.

Liberal Gov. John Reynolds (D.) of Wisconsin was nosed out by 50.7, but in neighboring Illinois Gov. Otto Kerner (D.), with 51.9 percent, defeated Charles Percy's bid for national recognition as a possible GOP presidential nominee in 1968.

In Montana, extreme conservative Gov. Tim Babcock (R.) retained his job with 51.3 percent, and in South Dakota another incumbent conservative, Gov. Nils Boe, held on by the fingernails with 51.5 percent. In Delaware Charles Terry won with 51.4 percent.

Fifty House contests fell into the 52 percent or less category.

The closest of them came in New York's 30th District, where incumbent reactionary Carleton King (R.) was reelected with only 50.03 percent of the vote. He won by just 148 votes out of nearly 200,000 votes cast.

He Knows

Julius R. Lippman of New Hyde Park, N. Y., strode into the voting booth November 3 and pulled a lever to vote.

His one vote counted.

It helped elect Julius R. Lippman of New Hyde Park, N. Y. judge of the Third District Court.

That's right. Lippman won by just one vote out of 106,641 votes cast for the office, 53,371 to 53,370.

Turn-Out Disappointing

One disappointing aspect of the November 3 elections was the failure of voter turn-out to measure up to expectations.

Totals of 71-73 million votes had been predicted. The final total was only slightly over 69 million, 60.6 percent of the 113.9 million voting-age citizens.

In 1960, 63.8 percent of voting-age Americans went to the polls.

One-Liners

Right-wing leader and financial angel H. L. Hunt, millionaire oil man, makes bid for major role in Republican Party, according to columnists Rowland Evans and Robert Novak. Hunt sends memo to GOP leaders, calling for series of small unpublicized planning meetings of selected GOP leaders. . . . Major Washington newsletter for businessmen confesses hospital care program for the elderly may do just what labor and liberals contend it would do: Create demand and opportunity for private health plans just as social security in the 1930s stimulated pensions. . . . "Richard Nixon calls for party unity, but it's going to come hard. The unity part is OK, but where's the party?"—Jack Wilson in Washington Star. . . . Election notes: Goldwater got the smallest number of votes cast for a GOP candidate since 1948, and smallest GOP percentage of total vote since Landon in 1936. Vermont voted for the Democratic presidential candidate for the first time in its history. Veep candidate William Miller's home county turned against him 66,004 to 27,998, more than 2-1. Democrats scored a net gain of 38 seats in U.S. House of Representatives, two in the Senate, making margins 295-140 and 68-32 respectively. . . . Post election note: A recent Gallup Poll reports the proportion of voters who identify themselves as Republicans has skidded steadily since 1940 from 38 to 25 percent, while the proportion who identify themselves as Democrats has climbed from 42 to 53 percent in the same period. . . . Right-wingers during the campaign peddled some 17 million copies of three books aimed at discrediting LBJ, the Democrats and moderate Republicans.

State Bodies Flip In LBJ Landslide

The landslide victory of President Johnson reached down heavily into state legislatures, a survey by Congressional Quarterly shows. More than 500 seats in state bodies around the land switched from Republican to Democratic. The handful that went the other way were mostly in the South.

Democrats in six states took away control of both houses of the legislature from the GOP: Indiana, Iowa, Maine, Michigan, New York and Utah.

In another seven states, Democrats wrested control of the House only from the GOP: Colorado, Illinois, Montana, North Dakota, Pennsylvania, Wisconsin, Wyoming.

Only one state body switched from Democratic to Republican control, the House in Oregon.

Activity Increases . . .

Right Wing Hopes Soar

"26 Million Americans Can't Be Wrong."

That's the newest slogan to emerge from the right wing propaganda mill as extremist leaders view November 3 election results as a launching pad for stepped up activity.

They feel the vote for Barry Goldwater shows there are huge untapped reserves for new members, new money, new militancy, according to a New York Times article.

The John Birch Society already claims sharp gains as a result of the recent presidential campaign. Former Rep. John Rousselot, JBS national public relations director, contends interest in the society was whetted and membership has jumped to new highs in each of the past four months.

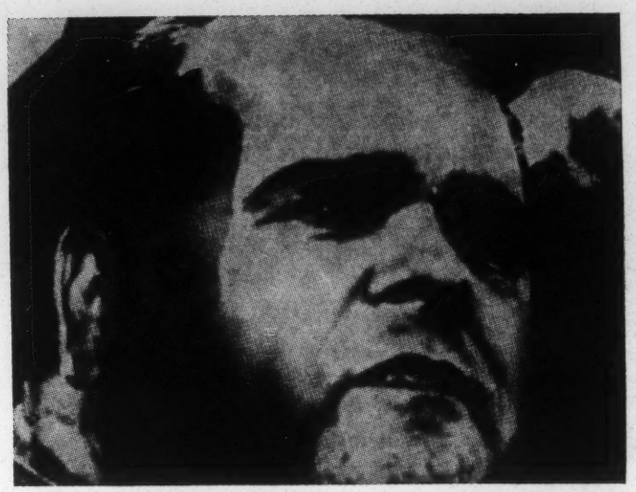
Poised to reap any potential membership harvest are 55 full-time JBS field coordinators. Two years ago, there were only 25.

New JBS regional offices are sprouting like crabgrass in suburbs of Los Angeles, Chicago, Houston, Washington and New York.

The number of Birch Society book stores almost has doubled in a year—228 of them around the U.S., selling, according to Rousselot, more than 40,000 books and pamphlets a week.

JBS Chief Robert Welch

...Membership spurt claimed as result of campaign



Billy James Hargis

. . . Sees money tree in bloom

Not only the Birch Society was buoyed by Goldwater's 26 million vote showing. Billy James Hargis, leader of the so-called Christian Crusade, sees the money tree blossoming as rich rightists, encouraged by that 26 million figure, turn loose more hard cash.

Like Rousselot of the Birch Society, Hargis anticipates swelling his membership.

Increased membership is expected, too, by Americans for Constitutional Action, according to executive director Charles McManus. ACA is one of the most politically active of the rightist groups.

California Rightists Zero In On Libraries

Rightists in California are stepping up pressures on public libraries to remove what they consider liberal literature from the shelves.

The right wingers want to put there, instead, their own brand of 150 percent American reading. One they want to cram down the public's throat is "None Dare Call It Treason," a favorite tract of some Goldwater supporters in the recent campaign.

Further, the old game of name-calling has erupted in the library battle. One spokesman for a rightist group attacked the author of best-selling "The American Way of Death" as a communist and charged the book "promotes socialistic" funeral practices.

According to the St. Louis Post-Dispatch, most of the pressure on California libraries stems from the John Birch Society, hiding behind front groups.

New Senate

Senators, including holdovers, who will take office in January are listed below. The re-election of Sen. Howard W. Cannon (D-Nev.) is still subject to recount.

Symbols: *Re-elected; †New senator.

ALABAMA—Lister Hill (D), John J. Sparkman (D). ALASKA—E. L. Bartlett (D), Ernest Gruening (D). ARIZONA—Carl Hayden (D), Paul J. Fannin (R)†. ARKANSAS—J. W. Fulbright (D), John J. McClellan (D). CALIFORNIA—Thomas H. Kuchel (R), George Murphy (R)†.

COLORADO—Gordon Allott (R), Peter H. Dominick (R). CONNECTICUT—Thomas J. Dodd (D)*. Abraham A. Ribicoff (D). DELAWARE—J. Caleb Boggs (R), John J. Williams (R)*. FLORIDA—Spessard L. Holland (D)*, George A. Smathers (D). GEORGIA—Richard B. Russell (D), Herman E. Talmadge (D).

HAWAII—Daniel K. Inouye (D), Hiram L. Fong (R)*. IDAHO—Frank Church (D), Len B. Jordan (R). ILLINOIS—Paul H. Douglas (D), Everett M. Dirksen (R). INDIANA—Birch Bayh (D), Vance Hartke (D)*. IOWA—Bourke B. Hickenlooper (R), Jack Miller (R).

KANSAS—Frank Carlson (R), James B. Pearson (R). KENTUCKY—John Sherman Cooper (R), Thruston B. Morton (R). LOUISIANA—Allen J. Ellender (D), Russell B. Long (D). MAINE—Edmund S. Muskie (D)*, Margaret Chase Smith (R). MARYLAND—Daniel B. Brewster (D), Joseph D. Tydings (D)†.

MASSACHUSETTS—Edward M. Kennedy (D)*, Leverett Saltonstall (R). MICHIGAN—Philip A. Hart (D)*, Pat McNamara (D). MINNESOTA—Eugene J. McCarthy (D)*, Walter F. Mondale (D)†. MISSISSIPPI—James O. Eastland (D), John Stennis (D)*. MISSOURI—Edward V. Long (D), Stuart Symington (D)*.

MONTANA—Mike Mansfield (D)*, Lee Metcalf (D). NEBRASKA—Carl T. Curtis (R), Roman L. Hruska (R)*. NEVADA—Alan Bible (D), Howard W. Cannon (D)*. NEW HAMPSHIRE—Thomas J. McIntyre (D), Norris Cotton (R). NEW JERSEY—Harrison A. Williams, Jr. (D)*, Clifford P. Case (R).

NEW MEXICO—Clinton P. Anderson (D), Joseph M. Montoya (D)†. NEW YORK—Robert F. Kennedy (D)†, Jacob K. Javits (R). NORTH CAROLINA—Sam J. Ervin, Jr. (D), B. Everett Jordan (D). NORTH DAKOTA—Quentin N. Burdick (D)*, Milton R. Young (R). OHIO—Frank J. Lausche (D), Stephen M. Young (D)*.

OKLAHOMA—Fred R. Harris (D)†, A. S. Mike Monroney (D). OREGON—Wayne Morse (D), Maurine B. Neuberger (D). PENNSYLVANIA—Joseph S. Clark (D), Hugh Scott (R)*. RHODE ISLAND—John O. Pastore (D)*, Claiborne Pell (D). SOUTH CAROLINA—Olin D. Johnston (D), Strom Thurmond (R).

SOUTH DAKOTA—George McGovern (D), Karl E. Mundt (R). TENNESSEE—Albert Gore (D)*, Ross Bass (D)†. TEXAS—Ralph W. Yarborough (D)*, John G. Tower (R). UTAH—Frank E. Moss (D)*, Wallace F. Bennett (R). VERMONT—George D. Aiken (R), Winston L. Prouty (R)*.

VIRGINIA—Harry Flood Byrd (D)*, A. Willis Robertson (D). WASHINGTON—Henry M. Jackson (D)*, Warren G. Magnuson (D). WEST VIRGINIA—Robert C. Byrd (D)*, Jennings Randolph (D). WISCONSIN—Gaylord Nelson (D), William Proxmire (D)*. WYOMING—Gale W. McGee (D)*, Milward L. Simpson (R).

COPE Memo is published every two weeks by the Committee on Political Education, 815-16th St., N.W., Washington, D. C. 20006. Subscription price $1.00 per year.

POSTMASTER — ATTENTION. Notice to Publisher Form 3579 should be sent to C.O.P.E., 815-16th St., N.W., Washington, D. C. 20006.

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political memo from COPE

GEORGE MEANY, *Chairman* **WM. F. SCHNITZLER,** *Secretary-Treasurer* **AL BARKAN,** *National Director*

NO. 4—65 FEBRUARY 22, 1965

That Noise You Hear . . .

It's Voice of Rightists, Still Filling the Air

If you turn on your radio these days, chances are you'll either hear some rock-and-roller mangling a melody or some right-wing extremist torturing the truth.

Nearly every disc jockey runs his weekly poll of the Top 10, based on how often songs are heard, but the right-wing discord tops them all with more than 7,000 programs each week, costing an estimated $10 million a year.

Right-wing broadcasts are heard in each of the 50 states, and more than 500 separate communities. Following is the most recent count on the nine leading extremist programs:

Twentieth Century Reformation Hour—A 30-minute daily program on 546 radio stations in 45 states. Conducted by Rev. Carl McIntire.

Life Lines—A 15-minute program broadcast daily over 325 radio and 69 television stations. Underwritten by billionaire Texas oilman H. L. Hunt.

America's Future—A 15-minute weekly commentary carried on 365 radio stations in 48 states. Sponsored by extremist organization, America's Future, whose board of directors includes top leaders of John Birch Society.

Manion Forum—A weekly 30-minute program broadcast over 240 radio and 30 TV stations. Presided over by Clarence Manion, national council member of the John Birch Society. Program often features pitch for so-called "right to work" laws and other anti-labor positions.

Howard Kershner—A 15-minute program carried on 148 radio stations in 41 states. Financed by the Christian Freedom Foundation, one of major rightist groups, which in turn gets much of its money from J. Howard Pew, a big spender for extremist causes. Pew is prominent in the Birch Society.

(Continued on Page 2)

Birchers Urged To Aid RTW

Members of the extremist John Birch Society have been told to wade into the reactionary fight to retain Taft-Hartley Section 14(b) which authorizes state "right to work" laws.

In the February issue of the JBS "Bulletin," an action sheet that goes only to Birchers, members were urged to offer their assistance to the National Right to Work Committee, nationwide coordinating group pushing open shop laws. The "Bulletin" said: "This is definitely their (NRTWC) ball, but we ought to help them carry it in any way that we can."

Repeal of 14(b) is the AFL-CIO's Number One legislative goal.

Reprint of Church Article Exposing Rightists Available

COPE will have a limited supply of reprints of Sen. Frank Church's article in Look Magazine exposing the tactics and goals of right wing extremists. The article by the Idaho Democrat was excerpted in the Political Memo of Jan. 25, 1965. For copies, write to COPE, 815 16th St., N.W., Washington, D. C. 20006. There is no charge.

Rightists Fill the Air

(Continued from Page 1)

Dan Smoot Report—A 15-minute weekly commentary by Smoot who once broadcast under sponsorship of H. L. Hunt. Now sponsored by Birch Society endorser D. B. Lewis, Smoot is heard on 70 radio and 40 TV stations.

Billy James Hargis—A 30-minute daily broadcast on 55 radio and seven television outlets. Sponsored by Hargis' own Christian Crusade.

Independent American Radio Edition—A 15-minute weekly program on 39 radio stations in 18 states. Put together by Kent and Phoebe Courtney, major right-wing leaders whose operation overlaps heavily with the John Birch Society.

Each of these nine leading right-wing programs spouts all or most of the extremist line to millions of Americans. That line includes smears of government officials, attacks on progressive social legislation, on the public schools, the UN, labor unions, etc. Following are samples from some of these broadcasts:

Howard Kershner—"We are driven to the conclusion that evil men in strategic positions, with the aid of their dupes, stooges, and fellow-travelers, have been able to mold public opinion in our country and shape governmental policy along lines that are hurrying us onward to destruction."

Dan Smoot—". . . Earl Warren is a socialist . . . He has the same attitude toward the Constitution that communists and all other socialists have . . . There are ample grounds for impeachment, not only of Warren, but of all nine Supreme Court Justices."

Manion Forum—"That amendment (16th Amendment to the Constitution providing for federal income tax) is the very prescription given by Karl Marx in his Communist Manifesto for income taxation to destroy private property and establish socialism throughout the world . . . The tax law will go . . . It cannot be enforced. The communists want it. Our political liberty is endangered by it."

Life Lines—"The . . . United Nations has through the years been used as a forum to advance communism . . . . the UN has become a monster violating its own charter in a manner so dangerous that every American should be deeply concerned about its actions and about the actions of the Mistaken who are promoting these UN excesses." (The "Mistaken" is a word used by H. L. Hunt in other Life Lines material to describe anyone who disagrees with him.)

Each State to Have Its Businessmen's Political Committee

BIPAC, the Business - Industry Political Action Committee, has developed far-reaching plans to make the organization an increasingly effective force in national politics and is now actively at work putting these plans into operation.

The blueprint calls for the creation of Businessmen's Political Committees in each of the 50 states — in some of the larger states, two or more as needed. Working through and with these committees,' and in cooperation with national and local business associations BIPAC's Political Education Division will conduct a continuing program of educational and missionary work in the periods between elections, concentrating on the marginal House districts and the states where key Senate seats will be at stake.

From "Politics," newsletter of the Business-Industry Political Action Committee, January-February, 1965.

Meany Urges Halt Alabama Arrests of Vote Applicants

The following telegram was sent recently by AFL-CIO President George Meany to President Johnson:

We in the AFL-CIO are deeply concerned by the mass arrests in Selma, Alabama, of more than a thousand American citizens whose sole crime is a desire to vote. It seems to us that the right of every adult American to participate fully in our elections, subject only to reasonable and uniformly applied tests, is the very keystone of our nation. When any American is denied his voting rights, all Americans are denied a portion of their rights. We urge you to do everything in the power of the Federal Government to halt this disgraceful harassment of potential voters.

The Wall Street Journal
Friday
June 18, 1965
P. 8
E.V.

Birch Society Baron

* * * * * *

Robert Welch Engrossed in Far-Right Calling

By Robert E. Dallos

BELMONT, Mass.—When Robert Welch, founder and leader of the ultra right-wing John Birch Society, took time off recently from fighting communism for a 10-day golfing holiday in Hawaii, rain prevented his going on the links more than twice. While most people similarly inconvenienced would blame the weatherman, Mr. Welch tells a visitor to his office in this sleepy Boston suburb the rain was "probably a Communist conspiracy against me."

He was being facetious, of course, but usually the 65-year-old former candy salesman is deadly serious about the Communist threat. He believes Communists have plotted to subvert the U.S. ever since the Russian Revolution and unless thwarted will have full control of this country by 1975, through the help of alleged Communists or "Comsymps" (a coined word suggesting communist sympathizers) such as former President Eisenhower, his brother Milton and Supreme Court Chief Justice Earl Warren.

Mr. Welch is out to stop such a takeover, and has been not unsuccessful in selling his brand of anti-communism. His society is still far from the proclaimed goal of one million members but enrollment has risen fast since the November elections. It's now estimated at about 100,000—double the number of a year ago. Thus a closer look at the man's aims, methods and the way he lives is particularly timely.

After retiring from the family candy business in 1957, Mr. Welch started to spend full time selling his doctrine. Today he spends 18 to 20 hours a day on Society chores, and often feels it necessary to spend alternate nights in his office though he lives only a ten-minute walk from the Society's two-story red brick headquarters. On these nights he usually grabs catnaps on the tan leather couch in one end of his office. His staff stocks a portable refrigerator with fruit juices and sandwiches for nocturnal snacks.

On one recent morning after an all-night session, Mr. Welch greeted a visitor in bedroom slippers, rolled-up sleeves and sporting a short stubble. His five-foot-10-inch frame seems slight, but with enough heaviness about the mid-section to boost his weight to 167 pounds. He talks softly with a lingering trace of Southern accent, despite 28 years as a resident at the same house here. He sometimes seems quick to anger, and his hands gesture wildly to emphasize some point about Communist infiltrations.

The Birch Society's founder reports he spends his days personally answering letters from members in all 50 states, reading confidential reports from his 70 or so full-time coordinators in the field, chatting with visiting Birchers and reading Communist literature. "I read all the Communist books and literature," he says. "It's the best way I know to find out what they're doing or planning."

Visitors and phone calls leave little uninterrupted time during the day, and Mr. Welch relies on night hours for writing. He uses a dictating machine for letters, but a typewriter to write and rewrite speeches and the Society's bulletin, which runs between 8,000 and 15,000 words a month. The Bulletin lists accomplishments of the past month and makes "assignments" to members for the coming month.

Scholarly Youth

Such a heavy load of reading and writing may reflect Mr. Welch's early background more than his long career in the candy business. He was born on a farm at Edenton, N.C., in 1899. By the age of seven he had waded through nine volumes of Ridpath's "History of the World." He enrolled at the University of North Carolina at the age of 12 and graduated at 17. He also briefly attended the U.S. Naval Academy and Harvard Law School before joining the James O. Welch Candy Co. which was then owned by his brother and is now a wholly owned subsidiary of National Biscuit Co.

Mr. Welch's copious current writings concern such Birch Society positions as opposition to the civil rights movement, which the Society labels part of a Communist plot to drive a wedge between Americans and to establish "a Negro Soviet Republic in the Southeastern United States." It also opposes: U.S. membership in the United Nations, reciprocal trade agreements, the North Atlantic Treaty Organization, defense spending, foreign aid, diplomatic relations with Communist nations, Social Security, the Federal Reserve System, fluoridation of water and the graduated income tax. It favors impeachment of Justice Warren for failing to uphold the Constitution.

The popularity of such a creed among some Americans is evident not only in swelling Birch Society membership, but in Mr. Welch's ability to collect lecture fees of $1,000 per appearance. He says the fee is high enough "to make it worthwhile and to discourage groups from inviting me." He says he plans to make about five paid lectures this year, and that he turns down many requests. He is a nervous speaker who has been known to stop in the middle of his text when someone coughs or moves about in the audience.

If he speaks at a meeting the Birch Society sponsors, the Society itself receives the proceeds. He also collects no salary for his long hours. His income, besides lecture fees, comes from royalties on his four books and modest wealth accumulated during his business career.

His attractive gray-haired wife, Marian, is a paid member of the Society's office staff. The rest of Mr. Welch's immediate family comprises two adult sons, Robert and Hillard, who have no connection with the Society.

The Society was officially started after Mr. Welch sold its concept to 11 prominent businessmen during a two-day meeting in Indianapolis in 1958. He had made many acquaintances in the business world during seven years as a director of the National Association of Manufacturers. He was less successful in his only direct bid in politics, a losing campaign for Republican nomination for Lieutenant Governor of Massachussetts in 1950.

Mr. Welch's strident positions and his accusations against prominent persons have led many to call him an "extremist," but his associates not surprisingly feel quite differently. One of them comments, "He has embarked on a course few men would have dared attempt and that some feel hopeless. He wants to restore a sense of personal responsibility in men. His methods take courage—he has dared to strike out at the tallest and the strongest, believing that even those who lead must act responsibly."

The 103 headquarters employes, who often visit and chat with Mr. Welch as he walks through various departments of his headquarters, seem to regard him with fondness and respect. "He is a warm and exceptionally friendly man," says one employe, adding that Mr. Welch has a tremendous sense of humor. "These qualities are seldom seen by the public, but continually by those who know him well and see him frequently."

Mr. Welch's personal contact with his immediate office staff of eight is also on a somewhat informal basis. On most days at about noon, an assistant fetches containerized soup and sandwiches from a nearby luncheonette. A table in Mr. Welch's outer office is "set" with paper napkins, and Mr. Welch sits at the head of the table and says grace. The conversation consists, not of Communist conspiracies, but mostly of small talk and some of the somewhat corny jokes Mr. Welch likes to tell. He betrays his nervous nature with his constant wadding of a paper napkin while he eats.

Proud of Naming Reds

Mr. Welch is proud of his record of spotting Communist threats. He brags that he branded Fidel Castro a Communist as early as 1958. Commenting on the assassination of President Kennedy, he says, "There was never any question in my mind that this was the work of the Communists."

After the assassination, he relates, he had to close Society headquarters for a few days because someone fired three rifle shots and threw bricks through a window. "The early reports blamed the killing on a right-winger or Bircher, but I didn't believe all that horseradish," he says, "I knew damn well it wasn't a Birch Society member unless someone faked something. Our people don't work that way. They avoid that kind of stuff."

Look at file on John Birch

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Paul Anthony — ~~Title~~ —
Director of Field Activities —

Hate groups — history

Miscellany

South — general

operation, organization, financing

Nazis — connection with pol. — John Birch

psychology of —

Voter Regis — Plaquemine, La —

CORE — many —

Ku Klux Klan Industrial Voters League

ESP — Pertinent in South Mobile W. Citizens

Wallace spoke to Ga Citizens Council

[332-5566-D-C]

Right Wing

JOB APPLICANT 'BLACKLIST' LINKED TO RIGHT-WING CHURCH LEAGUE

WASHINGTON — The right-wing Church League of America has been charged with operating a "blacklisting business" that gives employers a secret check into the background of job applicants.

The charge was made by the Institute for American Democracy (IAD), a nonprofit organization which exposes extremists on both the left and the right. Its board includes leaders in labor, religion, business and government.

Details of the blacklisting service were explained by Charles R. Baker, IAD's executive secretary, in an article in the March issue of the organization's newsletter, Homefront.

This is how the setup works, based on letters and a flyer being sent to businessmen in the Chicago, Philadelphia and New York area, Baker said.

For as little as $5 a head, prospective employers can get a check into what the Church League terms the "philosophy of life" of job-seekers.

The individual job applicant has no way of knowing about the check and there is no defense against wrong identification.

Employers are told that for a $1,000 "donation," they can get checks on 50 names, with additional checks at $5 each. Even if they don't' use the service, employers can write off the "donation" as a tax deductible contribution, CLA says.

Name checks are made against the Church League's files, which the organization claims "are the most reliable, comprehensive and complete and second only to those of the FBI."

According to Baker, the Church League has boasted that it has file cards on nearly 3 million persons, groups and publications "which serve the Communist cause," and has claimed to have a working relationship with law enforcement groups.

Prospective clients are sent a promotional letter warning that "our working forces include more than a few radicals, socialists, revolutionaries, Communists and troublemakers of all sorts."

"Colleges and schools are educating thousands more who will soon be seeking employment," the letter adds.

The Church League then points out that while employers can easily check the "education and professional background" of job seekers, but little is being done to learn their "philosophy of life" which is "of paramount importance."

Baker identified the Church League of America as a right-wing group that provides a "library function" for a variety of other right-wing outfits. It lists Major Edgar Bundy as its executive secretary.

The Church League's catalog, Baker noted, features materials from the John Birch Society and the Carl McIntyre complex. Last winter, Bundy was a guest on Birch member Dean Manion's Radio and TV Forum.

In 1967, the last year for which reports are available, the tax exempt Church League reported an income of $280,195, largely from contributions, Baker said.

THE AMERICAN GENTILE ARMY

An Organization For Independant Political Action

NATIONAL HEADQUARTERS — CONYERS, GEORGIA

Announcement

A Gallup poll based on the 1944 presidential election disclosed that 21,000,000 voters classified themselves as democrats, 17,500,000 as republicans, 9,000,000 as independents and 500,000 to other parties. Evidently the 9,000,000 independent voters cast their ballots for President Roosevelt which threw the election in his favor.

President Roosevelt built a New Deal party around the core of the old Democratic party and by his dynamic political astuteness held his organization together for four successive national elections. But with his passing the New Deal party is scattering to the winds. No man could have stepped in and kept his personal party together. In the chaotic "bust-up" the number of independent voters will likely more than double by 1948.

If these independent voters can be brought together in an organization for independent political action they can easily dominate the 1948 presidential election. Such an organization is being proposed in this preliminary prospectus. Read it through carefully and then if your conscience and your political judgment approve, join the movement and help put it over.

There are a dozen or more limited efforts being made in various areas, each centered around some vital political issue that merits political action. In due time this organization for independent political action should adopt for the guidance of the "Committee on Political Strategy" a full program of political issues. The American Gentile Army must have objectives and must outline methods for procedure if it is to become effective. It seems feasible that such a program can be made broad enough to satisfy all local organizations and independent thinkers and unite them into one great patriotic movement for the protection and preservation of this Democracy.

Communism, a new form of government, is stemming out of Russia and sweeping across both Europe and Asia. Communism is a challenge to Capitalism and makes its appeal to the proletariat or common people. The American Gentile is at heart a "rugged individualist" and maintains a basic belief in competition and free enterprise. This great nation has been erected upon that economic foundation and no change will be made until the independent spirit of American Gentiles has been crushed.

This movement should appeal to every patriotic American Gentile who can see what is going on under cover through false fronts and subversive propaganda that can have no other ending except to destroy Constitutional Government and the "American Way of Life." Independent Patriots, this is the great opportunity. May we count on you?

The Case Against The Jew Race

In briefing a case against the Jew race no accusation is intended for individuals or their religion. International Jewry is an institution that operates throughout the world on definite racial lines. Many nations have sought to eject them and some succeeded for a time. It is claimed that Benjamin Franklin, one of the leading builders of the Constitution, appealed to his compatriots to insert a clause in the Constitution that would exclude Jews from citizenship in the new government. This much is certain; they have segregated themselves and have refused to be assimilated; they have erected a Jewish financial state within our nation and are dominating vital channels of trade. They are Palestinian Asiatics with a record centuries long for accumulating profits from Gentile nations by means of their International Racial Communism. Naturally they are friendly to any Free Enterprise nation that will permit them to operate their system. When a foreign race of people enters a Free Enterprise nation for the purpose of gaining profits, segregate themselves and refuse to be assimilated, then acquire commercial and political controls such as the Jews have been able to do in this Gentile nation, there should be no lingering doubts in the minds of real Americans that it is time to wake up and start something.

A. G. A. Organization Plan

Every great movement had a beginning somewhere. This initial effort to organize an independent political action army comes out of the great State of Georgia with headquarters at Conyers, a modest county seat city just outside Atlanta. Arrangements have been made to handle the temporary organization until such time when a permanent national organization can be consummated. At the earliest possible date a weekly newspaper will be issued to direct organizational plans. The membership fee has been fixed at $3.00, to be sent to the American Gentile Army, Conyers, Georgia, for a Membership Certificate. Members who desire to enter the field as organizers may write headquarters for terms and official printed materials. An Army Company may be formed when ten or more members apply for a Charter. A Company shall be limited to 100 members. When ten Companies have been formed in any state they will be entitled to a State Charter which carries the right to handle their own independent organizational work. It is to be hoped that organizational fees sent into headquarters will be sufficient to meet legitimate and necessary expenses of this preliminary presentation.

Mat. Res Groups WCC

FIGHT BLIGHT — BUY RIGHT

THESE HAVE SURRENDERED
TO AFRICAN BLIGHT

RICH'S-DAVISON'S-SEARS'

And especially IVAN ALLEN COMPANY

Ivan Allen Jr negotiated for the ATLANTA CHAMBER OF COMMERCE

the shameful capitulation to the black mobs

These firms have shown that they care more for their colored customers than they care for white patronage. Hundreds of whites are protesting by closing their accounts NOW and by trading with stores that have not surrendered to the blacks. Avoid all members of the CHAMBER OF COMMERCE.

If you use dining facilities of any of the following stores, you will be forced to eat with the blacks. Business office addresses are given to facilitate sending your written protest to management. Let these people know they made a mistake when they gave in to the African intruders. These stores already had provided excellent eating facilities for colored, but the intruders demanded to mix with the unwilling whites. Let us avoid all these stores:

1. ( ) Rich's, Inc., 45 Broad Street, S. W. Atlanta 3, Ga.
2. ( ) Davison's, 180 Peachtree St., N. W. Atlanta 3, Ga.
3. ( ) Woolworth's Atl Dis Office, 1740 Peachtree NW, Atlanta 9, Ga.
4. ( ) McCrory's 73 Whitehall St., S. W. Atlanta 3, Ga.
5. ( ) Grant's, 82 Whitehall St. S. W., Atlanta 3, Ga.
6. ( ) Walgreen's 181 Peachtree St. N. E. Atlanta 3, Ga.
7. ( ) Jacob's Pharmacy, 77 Auburn Ave. N. E., Atlanta 3, Ga.
8. ( ) Kress 50 Broad St. S. W. Atlanta 3, Ga.
9. ( ) Sears Roebuck 677 Ponce de Leon Ave. NE Atlanta 8, Ga.
10. ( ) Kresge 2581 Piedmont Ave. N E Atlanta 5, Ga.
11. ( ) H. L. Green, 97 Whitehall St. S. W. Atlanta 3, Ga.
12. ( ) Newberry's, 37 Whitehall St. S. W. Atlanta 3, Ga.
13. ( ) Lane's 175 Peachtree St. N. E. Atlanta 3, Ga.

COMMITTEE ON HUMAN RIGHTS FOR WHITE PEOPLE

-OVER-

Ways to Combat Undemocratic Pressures on PTA's, Schools, and Libraries

In the PTA Appoint a committee to become informed on extremist groups, their "front organizations," and their tactics.

★ Devote a meeting to a factual report by the committee on extremist groups; their efforts to infiltrate PTA's and influence them to withdraw from the state and national organizations; and their undemocratic pressures on schools and libraries.

★ Establish the policy that resolutions and motions on controversial issues will not be voted on until the meeting following their introduction. This assures that the membership can be alerted and all views on an issue can be fairly represented and heard.

★ If someone comes up with a loaded, unanswerable question, ask him to rephrase it. Usually he can't, because it's a "canned" question.

★ Never mislay your sense of humor. A humorous remark has more than once pricked an inflated balloon.

★ Set a definite, reasonable time for adjournment. This assures that decisions will not be made by an extremist minority that outstays the moderate majority.

★ Look gift speakers in the mouth. Find out why they want to speak and whom they represent.

★ Keep the community and the press supplied with facts about PTA purposes and projects.

Schools Urge school boards to do the following:

★ Have written statements of policy placing responsibility for curriculum decisions and selection of textbooks, films, pamphlets, and other teaching materials with teachers and educational administrative officials.

★ Have an information program to sustain community understanding of these policies.

★ Have clearly defined procedures for dealing with complaints on curriculum, books, and teachers. For example, require that charges and complaints be made in writing and signed by the complainant, referred to a special committee, and so on.

Libraries Urge library boards also to have written policies on book selection; a public education program; and definite procedures for handling complaints.

Prepare in advance

★ Invite representatives from schools, churches, libraries, labor, industry, press, radio, and TV to a meeting to consider sound, democratic ways of dealing with extremist pressures.

★ Establish a joint committee for a continuing exchange of information and ideas.

★ Conduct a joint, vigorous education campaign to make the community aware of the importance of freedom of speech and freedom to read, to teach, and to learn.

If an attack comes

★ Bring it out in the open.

★ Insist that charges and complaints be specific, written, documented, and signed.

★ Ask the school board or library board to hold public hearings.

★ Get full press, radio, and TV coverage.

★ Seek advice and help from the National Congress of Parents and Teachers, your state congress, and from such groups as the state education association, the National Education Association, the American Library Association, the National Council for Civic Responsibility, the National Council of Teachers of English, the National Council of Teachers of Social Studies, and local and state colleges and universities.

Extremist Groups

A Clear and Present Danger to Freedom and Democracy

WHAT IS GROUP RESEARCH, INC?

Group Research, Inc. began operations Feb. 1, 1962, to fill a long-felt gap in continuing research on propaganda and pressure groups. It is incorporated in the District of Columbia as a nonprofit enterprise and staffed by professional research experts.

GRI was organized on the assumption that the perpetuation of the democratic process requires, in addition to other things, research and honest reporting of the relevant facts surrounding issues of the day.

What more relevant facts are there than who is behind various propaganda drives to pass, kill or emasculate this or that legislation or to blunt, change or inaugurate new policies?

GRI makes no pretense at encyclopedic coverage either in terms of all individuals or organizations engaged in pressure and propaganda or in the coverage of a specific organization, but there is no service in the nation which can be compared with that available from Group Research.

It is a vital tool for political groups, membership organizations, college and university libraries and other places where a serious effort is being made to retain freedom without sacrificing flexibility and progress, to strengthen and perpetuate the democratic process by turning the light of factual knowledge on the groups attempting to influence national life.

"He who molds public sentiment goes deeper than he who enacts statutes or pronounces decisions. He makes statutes or decisions possible or impossible to execute."

-- Abraham Lincoln,
Lincoln-Douglas debates.

GROUP RESEARCH, INC.

A national research service specializing in the identification and study of individuals and groups attempting to influence governmental and economic affairs.

422 Bond Building,
1404 New York Avenue, N.W.
Washington 5, D.C.

23

PROTECT AMERICAN DEMOCRACY

Today democracy is under attack not only from Communists and Rightist dictators abroad but from Americans boring from within.

The attack on the U. S. Supreme Court because of its decisions in favor of racial equality (school desegregation) and majority rule in the states (reapportionment) is dividing our nation into those who believe in democracy and those who have never really accepted it. The proliferation of anti-democratic Right Wing organizations in this country necessitate a strong counterattack by those who cherish our national ideals.

Here are some of the things you can do to speak up for democracy:

- **Promote the study of the U. S. Constitution conceived "to promote the general welfare," particularly the Bill of Rights guaranteeing freedom of speech, assembly, religion, trial by jury, etc.**

- **Promote the study of man's struggle to free himself from what Thomas Jefferson called "every form of tyranny over the mind of man" — superstitution, ignorance, fear, autocracy, prejudice, exploitation, hate — by emphasizing inspired social movements and their spokesmen which have battled for freedom, equality and human brotherhood.**

American democracy rests upon these pillars:

1. **Fundamental freedoms to vote, speak, assemble and choose one's own beliefs.**
2. **Equality of opportunity regardless of race, creed or sex.**
3. **One man, one vote. Rule of the majority with protection of minority rights.**
4. **The right to redress grievances — social justice.**
5. **The right to live a dignified, secure, and useful life.**
6. **The right to trial by jury and freedom from the police state.**

SPEAK UP FOR DEMOCRACY — THE FREEDOM YOU SAVE MAY BE YOUR OWN

Published for educational purposes by the URW Education Department, 87 South High Street, Akron, Ohio 44308

Things you can do to . . .

SPEAK UP FOR DEMOCRACY

. . . in your community

1. **Be a fighter.** Our forefathers had the spunk to stand up to the Tories in 1776. We must have the courage to resist present-day Tories.

   When a letter to the editor attacks any of democracy's tenets, write a defense of your country's ideals.

   Release statements your group makes against anti-democratic moves. Remember, a meeting is action and the results of your meeting are legitimate news.

   Some radio stations give free time to Right Wing groups who denounce the Supreme Court, unions or the U. N. Insist upon and get equal time to reply.

2. **Spread the word.** Form a speaker's bureau to spread the word to other community groups. Explain that democracy is a fabric; destroy several threads and the entire weave is likely to fall apart.

   We are threatened by enemies. Robert Welch of the John Birch Society says he does not favor democracy. A number of state legislatures have already gone on record to radically alter the U. S. Constitution and to leave the states forever with minority rule. It is our duty to spread the alarm about such threats to American democracy.

3. **Organize a SPEAK UP FOR DEMOCRACY group in your community.** Get a broad base of housewives, workers, professional people, businessmen, students, and senior citizens. Hold meetings and seminars on the meaning of democracy right in your own home town.

For further information fill in and mail the coupon below.

TO: William L. Abbott, Education Director
United Rubber Workers
87 South High Street, Akron, Ohio 44308

Dear Mr. Abbott:

Would you please send me more information on the **SPEAK UP FOR DEMOCRACY** movement.

Name _____

Street Address _____

City and State _____

A LIST OF PUBLICATIONS

Attached hereto is a list of publications (by no means complete) which represents a variety of viewpoints on social, economic and political issues. The names, addresses and subscription rates are given, so that persons interested in subscribing to one or more of these publications will have the pertinent information readily available. Where the editorial policy or general point of view was easy to determine or generally known, we have used the following code for identifying publications. In other cases when the publication covered quite a range of viewpoints or when it was difficult to clarify we have merely listed the publication under one of several headings, depending upon the type of issues it deals with.

UL - Ultra Left
L - Left
LM - Liberal, Moderate or Center
C - Conservative
UR - Ultra-Right

We are aware of the fact that classifying publications is not an easy matter. We also realize that what one person considers "liberal" might be considered "ultra-right" by some other person, depending upon his own philosophy of outlook. Of course, "The final proof of the pudding is in the eating". In the final analysis everyone must judge for himself how to classify publications or the ideas they espouse.

We have prepared this list because we believe people must be informed in order to make intelligent decisions, and where possible they should have access to the points of view of a variety of organizations. We expect to add additional names of publications to this list from time to time and we will appreciate suggestions from you.

Walter H. Uphoff
Director of Education (CLEAR)

UNDERSTANDING THE LEFT, RIGHT AND CENTER

By Walter H. Uphoff

* What makes people active or inactive in politics?

* What makes some people extremists and others moderates?

- -

SOME BASIC FACTS ABOUT HUMAN BEHAVIOR - whether African, American, Chinese, Cuban, English, French, German, Japanese, Russian, Spanish, Swedish, or what-have-you.

- Most people desire to live, and live decently. They are inclined to support those political leaders and spokesmen, and those economic and political systems which they think will give them what they seek in life. They seldom have unlimited choices and they seldom know and understand all the alternatives to what they have now. No country permits or tolerates the complete span of ideologies from one extreme to the other. Examples: Russia would not tolerate the establishment of a Republican, Democratic or Socialist party. The United States has outlawed the Communist party. West Germany has outlawed both the Communist and the Nazi parties.

- The human being strives for security as a condition of life. How he views security for himself depends upon his experiences and his sense of values.

  A person from a broken or unhappy home may feel unloved and insecure.

  A person who has physical or mental handicaps may have difficulty getting and holding a job and may feel "left out" or resentful.

  A person who is out of work, or who, for some other reason does not feel secure, will not have the same feeling of loyalty to the society, generally, as the person who has "done well" or has been successful under the system. (This is true whether the system is "free enterprise," "communism," or the "mixed economies" of England and the Scandinavian countries.)

  Being out of work may be due to: 1) lack of training or skills, 2) automation, 3) physical or mental handicaps, 4) industrial changes, such as: a) from glass bottles to tin cans to aluminum cans, b) from railroads to trucks, c) moving a plant from New England to Alabama, and 5) discrimination because of race, nationality, religion, or sex.

- Economic and political systems are not overthrown or drastically changed as long as they meet the needs of the majority of their people. When they fail to meet the basic needs of a large proportion of their people, changes take place. Adjustments can be made gradually and democratically when people have access to the electoral process and make use of it, as in the case of the New Deal during the depression. Or more drastic changes take place when the democratic process is absent or not fully developed or is not adequately used, as in the case of Communism in Russia (1917) and China (1949), and Fascism in Germany (1933), Italy (1922) and Japan (1936).

Radical Right

HOW TO COPE WITH ATTACKS FROM

THE FANATIC FRINGE

Nothing can disrupt a good school district so quickly as an irresponsible attack. But, if your teachers, parents, board members and administrators are prepared in advance, extremist actions can be blunted before they start. In this article, three men who have been under fire tell how to cope with the "fanatic fringe."

■ ■ ■ Your district is under attack.

Right now—at this very moment—there are groups and individuals at work in your community preparing to challenge the very way your schools are being operated.

There is nothing wrong with this. As a matter of fact, it's quite normal and healthy. Schools should be subject to criticism.

There are, however, three distinct types of criticism to which a district may be subjected.

First, there is valid criticism about which something can be done. For example, a group of lay or professional people may feel that the district's physical education program has fallen behind the times. Changes—if warranted—can be made.

The second type of criticism may be equally valid, but the schools are not in a position to correct the situation. There are extraneous forces over which the schools have no control. Most often, this type of criticism will concern the budget. A group proposes a program that the schools might like to institute, but the funds are not available.

The third type of criticism is that which is invalid. Often this criticism is originated by uninformed or poorly informed people who, once given the facts, will modify their view. These people can be reached through a proper school-community relations program.

The fanatic fringe

But in almost every district there is a small, loud group of persons to whom facts are of little impor-

Additional copies may be obtained from the
ANTI-DEFAMATION LEAGUE, B'NAI B'RITH, 515 Madison Avenue, New York 22, N. Y.

Want to speak as
citizen
under under
& from some found & practical training

Full Civil Rts
Conf.

(1)

Not just a labor problem — a state & national
Problem — a problem for every community —
Still hear it called the "Negro Problem"

Negroes
Asking not to be discriminated against

Not for a non-existent job

But to be considered as individual for
the job, and not given inferior consideration ~~for~~
because of color —

Today, there may be demands that seem to
us to disrupt, to asks special favors —

This is a matter of timing — Negroes suspect
action now, they should expect it and
demand it — if they did not so demand we
would never respect them

~~Then~~ It seems abrupt and unsettling to some
of us because it cuts across our old ways of thinking
and even threatens some of the institutions — the
privileges which taught were our own — There

BEST COPY AVAILABLE

things are threatened by a force far greater than has been brought home to us in Wisconsin.

It should be a force that every union man could sympathize with and join in working for the same goals. Many of our members feel they cannot, they feel this way simply because they are human. It is true that only human beings belong to unions; we may have learned to collect money from machines, but we have never yet seen one a union card yet. But this resistance to change, no matter how human, must give way to a greater force. The force is greater because of the depression of world events, our own Constitutional democracy, and because of our own home grown Negro Movement. Unions can no longer be used as the refuge place for discrimination. Our law has gone too far already in

(over

BEST COPY AVAILABLE

declaring unions to be affected with a public interest, that it is a matter of a very short time before all discriminatory practices will be rooted out.

Our challenge is: will we undertake to do the job ourselves, speedily and forthrightly, in good faith, good conscience, and in good spirit, Or will we wait until we are forced.

I would plea for our own action. I think all parties will learn more about working harmoniously together in a democracy that way. I think we can better protect the accuracy and good strength of the labor movement by doing the job ourselves. We can find happiness out of doing the right thing & "Negroes" can learn perhaps for the first time that those of us called whites are worth trusting and are people --

BEST COPY AVAILABLE

with whom they can work.

Now, I'm not saying that there should be no legislation. There should be and soon. It should be far-reaching legislation which the labor movement supports. Our obligation is to move beyond legislation and move rapidly. That is if we wish to build a good society in which all of us can be proud — here at home and proud before the world —

A part of our working together and our good faith voluntary action can be the active seeking of legislation that guarantees fairness.

---

1) Lay out changes taking place
2) Pressures mounting — Pol. Significance [law & order Providing Int'l Affairs
3) The frustrations still existing.
4) Is the Wis. Record clean —

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P
Bill Kinsley
Chicago office
A.D.L.
WE 9 5288

Erwin Sewell
Pt. Reig.

AFSC — Kwm's.
312 HA 7
2533

Hate Groups

Info on
Activities in Chicago
Any Current Importance

Name
Size
Tactics
Type of Influence

Chicago Diminished

Alleys - Sept
Blackmount of
Local Nazi Party
Some inroads among
Teenagers
3-4 people led
demonstration
Joseph Beauharnais
Lost fight at Demonstration

Bob Wilson — AID — Venezuela

Is this man Roger Axford dealt with
was at Roosevelt? —

John Schmitt

Any Ward or City & County breakdowns for
Kaukauna, Neenah, Menasha, Appleton, Oshkosh,
Ashtabula, Winnebago

Bill Pinsley

Alex Miller
Art Lewis
Kate Williams

Publications

Current assessment

Anti-Semetic — at lowest ebb —
Chap of Am Nazi Party
Same in Mich
} Matt Hedges
Rockwell
↳ quit since boo boo at Wash March —

few other groups (Waves Voice no longer published)

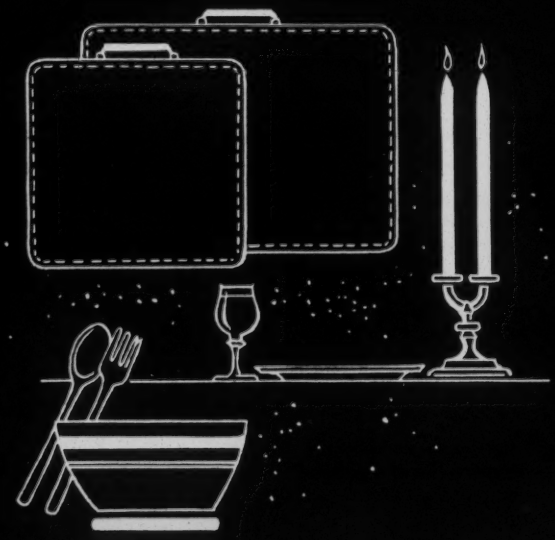
Chicago or Mid-West groups

WAGE AND HOUR and PUBLIC CONTRACTS DIVISIONS
U.S. DEPARTMENT OF LABOR

WHPC Publication No. 1172
October 1966

HOTELS, MOTELS, RESTAURANTS AND FOOD SERVICE EMPLOYEES

under the
FAIR LABOR STANDARDS ACT
as amended in 1966



UNITED STATES DEPARTMENT OF LABOR
W. Willard Wirtz, *Secretary*
WAGE AND HOUR AND PUBLIC CONTRACTS DIVISIONS

WHPC Publication 1161 / Wash., D.C. 20210
October 1966

HIRED FARM WORKERS

under the
FAIR LABOR STANDARDS ACT
as amended in 1966

UNITED STATES DEPARTMENT OF LABOR
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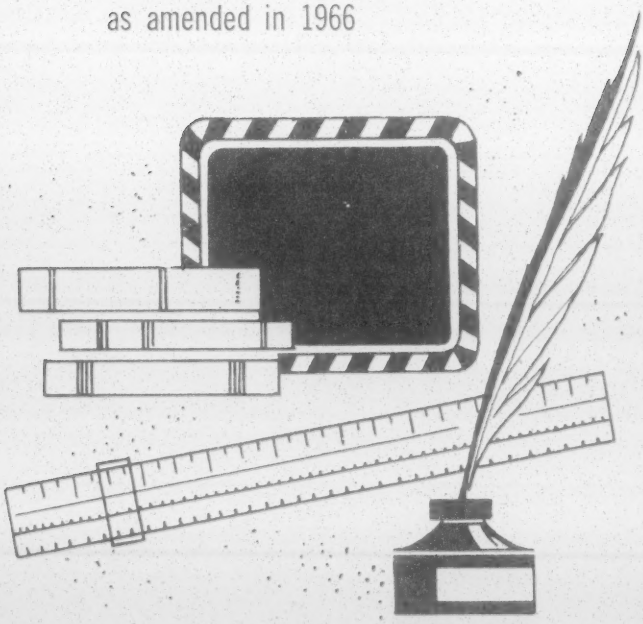
WAGE AND HOUR AND PUBLIC CONTRACTS DIVISIONS

WAGE AND HOUR and PUBLIC CONTRACTS DIVISIONS
U.S. DEPARTMENT OF LABOR

WHPC Publication No. 1164
October 1966

SCHOOLS

under the
FAIR LABOR STANDARDS ACT
as amended in 1966



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WAGE AND HOUR AND PUBLIC CONTRACTS DIVISIONS
Clarence T. Lundquist, *Administrator*

WHPC Publication 1159
October 1966
Wash., D.C. 20210

HANDY REFERENCE GUIDE
To The
FAIR LABOR STANDARDS ACT
as amended in 1966

WAGE AND HOUR and PUBLIC CONTRACTS DIVISIONS
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WAGE AND HOUR AND PUBLIC CONTRACTS DIVISIONS
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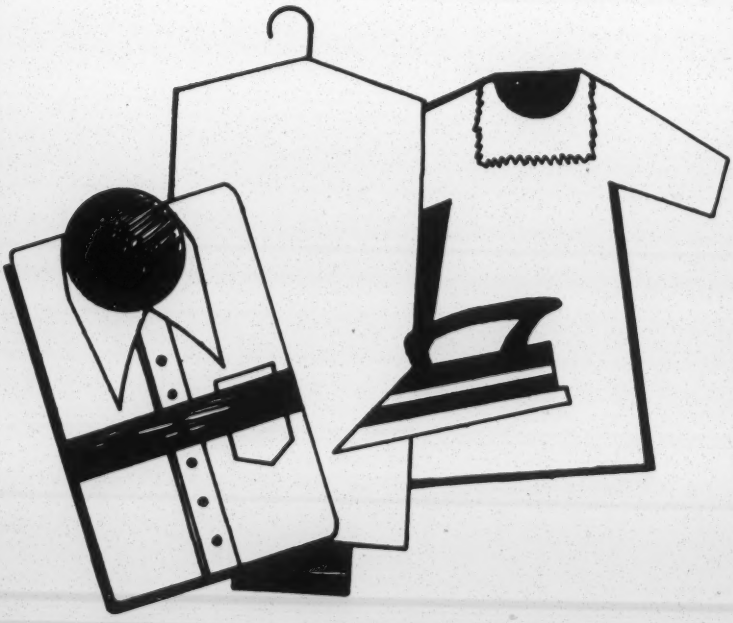
WHPC Publication 1166 / Wash., D.C. 20210
November 1966

LAUNDRIES AND DRY CLEANING ESTABLISHMENTS

under the
Fair Labor Standards Act
as amended in 1966



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WAGE AND HOUR AND PUBLIC CONTRACTS DIVISIONS
Clarence T. Lundquist, *Administrator*

WHPC Publication 1163 / Wash., D.C. 20210
November 1966

CONSTRUCTION INDUSTRY

under the
Fair Labor Standards Act
as amended in 1966

UNITED STATES DEPARTMENT OF LABOR
W. Willard Wirtz, *Secretary*

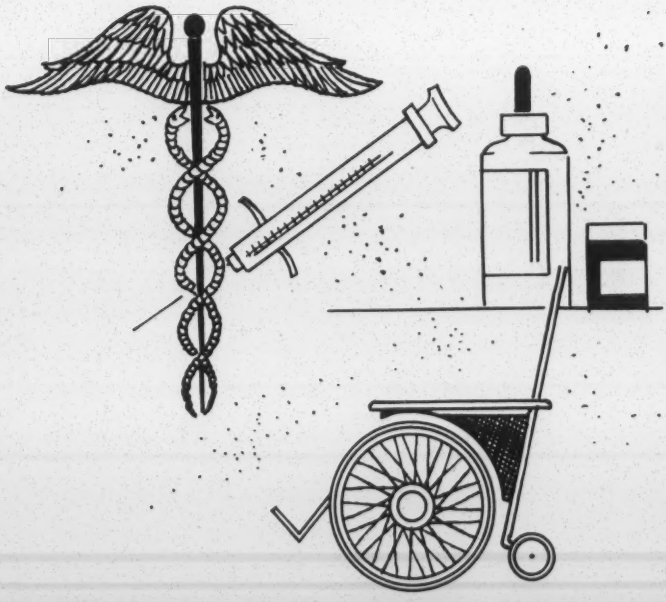
WAGE AND HOUR AND PUBLIC CONTRACTS DIVISIONS
Clarence T. Lundquist, *Administrator*

WAGE AND HOUR and PUBLIC CONTRACTS DIVISIONS
U.S. DEPARTMENT OF LABOR

WHPC Publication No. 1165
NOVEMBER 1966

HOSPITALS AND NURSING HOMES

under the
FAIR LABOR STANDARDS ACT
as amended in 1966



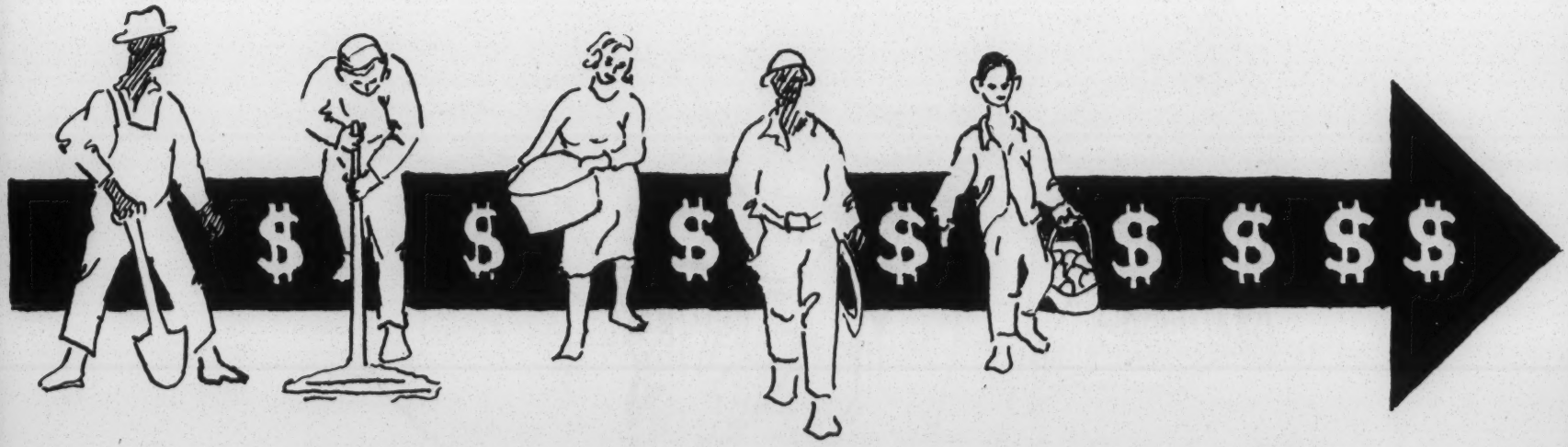
UNITED STATES DEPARTMENT OF LABOR
W. Willard Wirtz, *Secretary*
WAGE AND HOUR AND PUBLIC CONTRACTS DIVISIONS

Missing

(1) Request for additional information form

(2) mimeo'd sheet showing Reg. Offices of Wage & Hr. Divisions

MORE MONEY FOR YOU?



YOUR RIGHTS UNDER THE MINIMUM WAGE LAW

Labor Program
The Southern Regional Council
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

HOW TO USE THIS KIT

1. Read "What is in This Kit" (the blue sheets) and use it as a guide to the other materials.

2. It is suggested that you then read the following materials in order:

   a. A Minimum Wage Campaign for Local Groups

   b. Some Simple Facts About the Fair Labor Standards Act

   c. More Money for You? (intended for distribution to workers).

3. Look at the government materials in the left hand pocket of the kit.

4. For technical assistance or to secure an investigation, call or write to the Wage and Hour Division of the U.S. Department of Labor. See the white sheets for the nearest office.

THE MATERIALS IN THIS KIT HAVE BEEN CHECKED FOR ACCURACY. HOWEVER, THERE ARE TECHNICALITIES IN APPLYING THE LAW. THESE MATERIALS ARE USEFUL AS AN INTRODUCTION. WHEN YOU HAVE A QUESTION BE SURE TO CONTACT THE WAGE AND HOUR DIVISION OFFICE CLOSEST TO YOU.

WHAT IS IN THIS KIT

1. A MINIMUM WAGE CAMPAIGN FOR LOCAL GROUPS
   Yellow leaflet telling how your group can help enforce the law--hints on how to proceed, suggestions of things to do.

2. SOME SIMPLE FACTS ABOUT THE FAIR LABOR STANDARDS ACT
   Pink leaflet explaining the new Wage and Hour Act--regulations, coverage, enforcement procedures.

3. MORE MONEY FOR YOU? YOUR RIGHTS UNDER THE MINIMUM WAGE LAW
   Illustrated pamphlet explaining minimum wage regulations in simple terms--for distribution to employees and others--it should be imprinted with name and address of your group and the closest office of the U. S. Department of Labor's Wage and Hour Division.

4. LIST OF FIELD OFFICES OF THE WAGE AND HOUR DIVISION
   White mimeographed sheets complete with addresses and phone numbers.

5. SAMPLE FORM OF INFORMATION USEFUL IN DEVELOPING A COMPLAINT
   White mimeographed sheet to serve as a guide in getting information.

6. THE EXTENT OF WAGE-HOUR VIOLATIONS
   A green sheet, reprinted from the American Federationist--demonstrates the importance of minimum wage enforcement.

(over)

Minimum Wage Campaign Kit, Labor Program, Southern Regional Council, Inc.
5 Forsyth Street, N.W., Atlanta, Georgia, 30303. February, 1967.

THE FOLLOWING ARE PUBLICATIONS OF THE WAGE AND HOUR DIVISION OF THE U.S. DEPARTMENT OF LABOR

(Look in the left hand pocket)

7. NOTICE TO EMPLOYEES

Brown and white official U.S. Department of Labor printed poster listing new minimum wage regulations--for posting in enterprises, offices, public buildings, churches, clubrooms.

8. LIST OF PUBLICATIONS

Printed leaflet listing free publications from the Wage and Hour Division of the U.S. Department of Labor.

9. HANDY REFERENCE GUIDE TO THE FAIR LABOR STANDARDS ACT

The Wage and Hour Division's own useful guide to the law's provisions.

10. FIVE LEAFLETS ON THE APPLICATION OF THE LAW TO SPECIFIC GROUPS

There is a separate Wage and Hour Division leaflet for each of the following: Construction Industry, Hired Farm Workers, Schools, Laundries and Dry Cleaning Establishments, and Hospitals and Nursing Homes.

FOR ADDITIONAL INFORMATION

A. Complete "Minimum Wage Campaign Kit," $1.00 per kit.

B. Extra copies of pamphlet "More Money for You?" for distribution-Single copies, 15¢, 10-50 copies, 10¢ each, over 50 copies, 8¢ each.

C. "New 1966 Minimum Wage Law, With Explanation," prepared by the Commerce Clearing House, Inc. (64 pp., retails for $1.50) available from the Southern Regional Council for 55¢.

FOR THE ABOVE MATERIALS (A,B,C,) ORDER FROM

Labor Program, Southern Regional Council
5 Forsyth St., N.W. Atlanta, Georgia 30303.

Copies of the Wage and Hour Division's publications, other information, and forms can be had from the nearest office (see the list) of the Division. A post card is included for your convenience.

SOME SIMPLE FACTS
ABOUT THE FAIR LABOR STANDARDS ACT
(MINIMUM WAGE LAW)

Although the federal minimum wage law, like many laws, is somewhat complex, there are a few simple facts about it that everyone can and should understand. This leaflet explains these facts, the background of the law, its regulations in general, how it is enforced.

You can get additional information about the law, how it applies to a particular industry or a particular job, by sending for the free publications of the United States Department of Labor's Wage and Hour Division. Or you can visit the Division's nearest field office or ask questions by telephone or letter. A list of addresses and phone numbers of field offices is included in this kit. Also included is a list of publications.

HOW FEDERAL MINIMUM WAGES BEGAN

The first Fair Labor Standards Act, sometimes called the Minimum Wage Law or the Wage and Hour Law, was passed in 1938, during the New Deal period. It put a "floor" under wages of 25¢ an hour for the first year, rising gradually to 40¢ an hour seven years later. Only 12 to 13 million of the nation's then 55 million workers were covered by this very low minimum. Among the other 40-odd million, employers could legally pay less than 25¢ an hour.

Over the years the minimum wage has been revised upward several times. Also the Act has been amended to include new classes of enterprises and employees, so that many kinds of employment which were not at first covered by the law are covered now.

The latest revision, passed in 1966, took effect in February, 1967. On that date the minimum hourly rate for

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about 32 million already covered employees was raised from $1.25 to $1.40. Also, over 9 million employees who had not previously been covered had a floor put under their wages of $1.00 per hour. Among these 9 million newly covered employees are many who have been among the lowest paid employees in the nation, and probably also in your community. The floor for both groups will continue to rise. Previously covered employees will be entitled to at least $1.60 in 1968. By 1971 newly covered employees will reach the $1.60 per hour level. Agricultural workers now covered are scheduled to go to a legal minimum of $1.30 per hour in 1969.

COVERAGE AND MINIMUM HOURLY RATES AS OF FEBRUARY 1967

Every job falls into one of three categories: (1) it was already covered by the Wage and Hour Law before February, 1967; (2) it was not covered by the Act before February, 1967, but it is covered by the Act after February, 1967; (3) it was not covered by the Act before, and it is still not covered.

Industries and Enterprises Covered before February 1967. Many industries and enterprises have been covered for some time. But since February there is a higher minimum wage for these enterprises.

Beginning in February, 1967, the minimum wage for previously covered jobs is $1.40 an hour. Beginning February, 1968, it will be $1.60 an hour. Also, one and a half times the hourly rate must be paid for all hours over 40 in one week; the time-and-a half provision applies even if the employee is earning more than the minimum. (There are some exceptions to the time-and-a-half provision; consult the closest Wage and Hour Division field office if you need to know them.)

If an enterprise is covered, that means that supporting personnel like porters, watchmen, maids, elevator operators, and so on are all covered. Here are some examples of previously covered enterprises. (This is not the full

list of all enterprises covered; there are many more.)

Most companies in communications industries: telephone, telegraph, radio, television

Most companies in these transportation industries: highway building and repair; railroads; airlines; interstate bus; interstate trucking

Almost all factories

Almost all wholesale enterprises

Almost all mining enterprises

Large lumbering enterprises

Large retail stores or smaller stores (doing over $250,000 of business annually) in a chain

Large construction companies

Large gasoline service stations

Most city bus companies

Banks, insurance companies, and most advertising companies.

Industries and Enterprises Covered beginning February, 1967. Beginning in February, 1967, many industries that were never covered before will be covered, and in some industries where previously only large enterprises were covered, now many smaller enterprises will be covered also. But the newly covered jobs will begin by having a lower minimum wage and a longer basic work week than the previously covered jobs.

The minimum wage for newly covered jobs is $1.00 an hour beginning February, 1967. It will go up to $1.15 an hour beginning February, 1968. One and a half times the hourly rate must be paid beginning February, 1967 for all hours over 44 in a week, and beginning February, 1968, for all hours over 42 in a week. The time-and-a-half provision applies even if the employee is earning more than the minimum. But it does not apply to certain exempted jobs and industries, of which farming is one.

Here are some examples of newly covered industries and enterprises. Again if an enterprise is covered, unskilled maintenance employees are included. This is not a full list of all newly covered jobs; there are others.

Industries That Were Never Covered Before

Hospitals and nursing homes
All schools and colleges, public and private
Laundries and dry-cleaning establishments
Farms that employed more than 500 man-days of hired labor in a calendar quarter (about seven full time employees) last year
Large motels, hotels, restaurants
Large automobile, trailer, and farm-implement dealers.

Smaller Enterprises in Previously Covered Industries

Some smaller retail stores (doing more than $250,000 business annually)
All smaller construction companies (that is, all construction companies not previously covered)
Many smaller city bus companies
Many large taxicab companies (drivers are exempt from overtime).

Industries and Jobs Not Previously Covered and Still Not Covered. The Fair Labor Standards Act does not cover employment of the following.

Professional, administrative, and executive employees
Outside Salesmen
Domestic workers
Members of an employer's immediate family
Employees of motion-picture theaters
Fishermen

There are others that are not covered.

SOME SPECIAL PROVISIONS

Equal Pay. All employers covered by the Act, whether before or since February, 1967, must pay women workers the same rate as men workers for the same job, and they may not reduce the men's pay to make it equal to the women's. This applies even if the employees are receiving more than the minimum rate.

Child Labor. All employers covered by the Act are prohibited from employing children under certain conditions. No children under 14 years of age may be employed at all, except in agriculture and then only outside of school hours. Children between 14 and 16 may be employed only outside of school hours, except in agriculture. And children under 18 may not work in certain dangerous occupations. (In addition, many states have special state regulations regarding child labor which occasionally may be stricter than the federal regulations. You also should consult your state department of labor if you believe children are being employed illegally.)

Students and Handicapped Persons. There are special, lower minimums for learners, students and handicapped persons if the employer has a certificate from the Wage and Hour Division.

Contract Services to the Federal Government. Employers who provide goods or services to any branch or agency of the federal government must pay at least the higher minimum for previously covered employees in nearly all cases.

Determining the Hourly Rate. Some workers are paid by the day, the week, the month, or by a piece rate. The hourly rate can be determined by dividing a week's wages before any overtime is added by the number of hours worked. This gives the basic or regular rate. The employee is then entitled to half again as much for each hour worked over 40, or over 44 if he is newly covered. Remember to make this calculation using the employee's gross pay before deductions, not his take-home pay. The employee has a right to know from his employer what his gross pay is.

WARNING: The regulations have been explained in a very general way here. There are many refinements and exceptions. You can find out more specifically whether a particular job in a particular firm is covered by the law by consulting the various publications listed in the booklet or by inquiring at your nearest field office of the Wage and Hour Division of the U.S. Department of Labor.

ENFORCEMENT

The Wage and Hour Division of the United States Department of Labor is responsible for enforcing the law. It acts on its own in uncovering intentional or unintentional violations. It also responds to requests for investigation and complaints.

Who May Lodge a Complaint. Anyone may inform the Division that he believes a particular employee is not being paid in accordance with the law. Complaints are sometimes made by a firm's competitors, by labor unions or by individual employees. The Division never reveals to the employer the name of the individual or group making the complaint. It will also make an investigation on the basis of an anonymous complaint. But, of course, an individual who makes a complaint without revealing his name can't receive an answer from the Division. Besides the fact that the Division will not reveal the name of the person making the complaint, any employer who fires an employee for going to the Wage and Hour Division with an inquiry or complaint can be punished under the law.

Where and How to File a Complaint. If you think an employee is being underpaid according to the law's minimum or is not being paid overtime, or if you think a woman is being paid less than a man for doing the same work you should report the case to the nearest field office of the Wage and Hour Division. If you are not certain whether an employer or an employee is covered by the law, you can still ask the field office to investigate.

You can telephone, visit in person, or write. You should have as much information about the employer's business and about the employee's job as you can get. The white sample information sheet shows some of the kinds of information the Division needs in order to investigate. But do not fail to file just because you can't get all the information, the Division investigator will get it himself.

You may want to mail the postcard in your kit to

your nearest office asking for the "Employment Information Form" on which to file a request for an investigation.

What Happens after You File A Complaint. Your complaint should be acknowledged within a few days. After that, it may take several weeks to a few months, depending on how busy the office is, for an investigation to be made.

If the complaint is justified, that is, if the employee or employees are being underpaid according to the law, the Division will order the employer to make up the whole amount the employee lost during the entire time he was underpaid and to pay him in accordance with the law from that time on. In the rare case where the employer does not obey such an order, the Division may take him to court. The burden of enforcing the law is on the government, not on the employee. If the complaint is unjustified, that is if there is no violation of the law, the Division will make a report to the person who filed the complaint explaining why it holds that there is no violation.

If there is no response after a reasonable time or if the response seems unsatisfactory, you may ask the regional office of the Division to review the case.

Detailed reports are not given to organizations or outsiders. If your group wants to act on behalf of one or several employees and you want the Division's responses to come to your organization's address, file in the name of an individual employee, with his consent, with an address in care of your organization.

Problem Areas. The industries and firms that are being covered for the first time are those where there are most likely to be violations or misunderstandings. Therefore, you would do well to be especially sensitive to conditions in the following fields:

Agriculture--If last year a farmer employed six or seven employees more or less regularly, or regularly during the season, he may be covered this year. Many large farmers who have never been covered before will now have to pay at least $1 an hour, and the same piece rate to children as to adults.

Laundries, dry-cleaning establishments, hospitals, nursing homes, schools--These kinds of enterprises have traditionally paid their maintenance and kitchen personnel very low wages for very long hours. Almost all of them will now be covered by the law. The lowest-paid workers will now have to be paid at least $1.00 an hour for hours up to 44 and $1.50 for hours over 44. Most workers will have to be paid time-and-a-half for hours over 44.

Restaurants, motels, hotels--Many large hotels, motels, restaurants will be covered for the first time. Tips may be counted toward earnings, but only up to 50 percent; at least 50 percent must be paid in wages by the employer.

It would also be worthwhile to investigate the situation of any workers who were receiving $1.25 an hour before February, 1967. If they were covered by the law then, they should now receive $1.40 an hour.

A MINIMUM WAGE CAMPAIGN

FOR LOCAL GROUPS

A new weapon in the war on poverty was introduced into your community in February, 1967, and your local organization can play a big role in using the weapon. It is the newly amended federal Fair Labor Standards Act which is frequently called the Minimum Wage Law.

Some 32 million American wage earners are entitled to new, higher minimum wages; over 9 million are being covered by minimum wage regulations for the first time. This means that some of the poorest, most underpaid workers in your community are now entitled to a federally established minimum wage with, for many of them, time-and-a-half for overtime.

While most employers will obey the law, others, through ignorance or evasion, will probably not at first pay their employees the federally required minimum or time-and-one-half for overtime. And many of these underpaid employees, through ignorance or timidity, will not take the very simple steps needed to make the employer pay legal wages.

Your local organization can very easily do an important educational job that will (1) protect employers from the consequences of breaking the law, (2) put more dollars in circulation in your community, and (3) help the people in your community--Negro and white--who most need help, by making sure that they receive the wages that they are entitled to by law.

In putting on a minimum wage campaign you will be cooperating with the United States Department of Labor, which wants help from the community in enforcing the law. And at the same time you will be extending your influence among many groups in the community, most especially among low-

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paid wage earners. A group that energetically extends itself to wage earners in the community will undoubtedly increase its prestige and membership.

Some Suggestions on How to Proceed

First read the leaflet "Some Simple Facts About The Fair Labor Standards Act," which explains the background of the Act, the minimum wage regulations in general, and the way to report possible violations. This leaflet is written for laymen, not lawyers or economists, and can be understood by everyone in your organization.

Then go through the rest of the material in the kit, using the table of contents as a guide. Some of the material offers further explanations and information for you, some can be used in your campaign.

Then at a meeting of your group have two or three people who have studied the kit explain the law and a possible campaign to the entire membership.

Here are some things individuals can do to help publicize the law.

Be certain that everybody in your family or among your friends who is an employer understands how the law affects him. Look in the list of publications and send for leaflets explaining the law in relation to specific industries.

Look for the brown-and-white poster, of which there is a sample in this kit, in all places of employment that you enter as a customer. Covered establishments are supposed to display it. If it is not displayed and you think it ought to be, speak to the employer.

Carry copies of the poster to your church, club, union or fraternal organization to publicize the law. Additional copies are available from your nearest office of the Wage and Hour Division of the U. S. Department of Labor.

Ask individual wage earners whom you know about wages and hours in their places of employment, and tell them about the law's new regulations.

Here are some things your organization can do to help publicize the law and inform people about how they can secure enforcement.

Become familiar with the kit and with the basic provisions of the minimum wage law.

Form a committee--it need not be large --of people especially interested in wage-hour enforcement.

Look at your community with new eyes. Where are low wage earners working? Is there some chance that they are covered by the law? What other groups or individuals can give assistance in reaching low wage earners?

Issue a news release to announce your committee's interest in minimum wage enforcement and your willingness to help all workers.

Co-sponsor with such organizations as unions, civil rights groups, human relations councils, neighborhood centers a general meeting of wage earners or of wage earners in a particular industry. You may call upon the nearest field office of the Wage and Hour Division for a speaker if your meeting is large enough. Even if you have an expert at a meeting, make sure you have a general understanding of the law so that you can explain it to the people in your community in a way that they will understand.

Arrange for distribution of the leaflet "You Should Know About Minimum Wages" through schools. The booklet can be read by any schoolchild from about the fourth grade. The leaflet would make a good basis for an elementary school civics or history lesson. It should be sent home to parents. The longer leaflet, "Some Simple Facts About the Fair Labor Standards Act," is suitable for high school classroom use.

Ask for time to explain about the law at church meetings, club meetings, etc. Concentrate on those organizations which tend to have contact with low income persons. Even if you can get only five or ten minutes to talk at the meeting you can do a lot.

Distribute appropriate leaflets or posters to all members of the meeting. Make sure to tell them where they can go for more information or more material.

Interview complainants or workers with whom you have made contact where it is convenient for them. Get as much of the information suggested in the sample information form as possible--in some cases this will not be much. If you have reason to believe or if the worker feels he has a legal complaint report the information to the nearest Wage and Hour Division. The workers, any individual, or a group may make the report.

Keep records. Names, addresses, phone numbers, places of employment, to whom did you talk in the Wage and Hour office, what action did Wage and Hour take.

Follow up with the Wage and Hour office if you filed the complaint--with the worker if he filed it. Be understanding, but request as speedy action as possible.

Where back wages are involved, urge the Wage and Hour Division to get a full settlement.

Remember, throughout, not to mislead workers or give them false hope. Offer information, assistance and follow-through--not promises. Remember that technicalities will have to be ironed out by the Wage and Hour Division.

The work you do in publicizing minimum wages will help your organization in other activities by earning you the trust of people you may not have been in contact with before. If you are successful in helping the employees of even one establishment to get the wages they are entitled to, you can go back to them and talk with greater effect about problems of interest to you such as school desegregation, community relations, or organizing a union.

Here is a chance to cooperate with the federal government, with employers, and with white and Negro wage earners in an enterprise from which everyone will benefit. Success in such an undertaking can be a source of pride to the individuals and organizations that brought it about.

The Extent of Wage-Hour Violations

Enforcement of the Fair Labor Standards Act is the key to its effectiveness and the fulfillment of the promise it holds for low-paid workers.

Actual minimum wage investigations by the Wage and Hour Division found more than 400,000 American workers underpaid nearly $90 million in minimum wage, overtime and equal pay violations in the fiscal year ending June 30, 1966. It is estimated that actual investigations discover only half the violators. However, even where violations were found, nearly two-thirds of the money or $60 million in underpayments may never be recovered.

In the last year, employers caught by wage-hour inspectors in violations have agreed or have been ordered by federal judges to pay $27 million to underpaid workers. But the Wage and Hour Division has no power to compel payments to cover past violations where the employer refuses to pay. As a result, some $60 million in illegal underpayments remain uncollected for fiscal 1966 alone.

In these cases, the cheated workers must sue for reimbursement or ask the Secretary of Labor to do so on their behalf. Too often the collection suits are never brought, especially where the workers involved have no union representation and fear employer reprisals.

The Act provides these methods of recovering unpaid minimum and/or overtime wages:

1. The Administrator of the Wage and Hour Division may supervise payment of back wages.
2. In certain circumstances, the Secretary of Labor may bring suit for back pay upon the written request of the employe.
3. An employe may sue for back wages and an additional sum, up to the amount of back pay, as liquidated damages plus attorney's fees and court costs. (An employe may not bring suit if he has been paid back wages under supervision of the Administrator or if the Secretary has filed suit to enjoin the employer from retaining the wages due him.)
4. The Secretary of Labor may also obtain a court injunction to restrain any person from violating the law, including the unlawful withholding of proper minimum wage and overtime compensation.

According to a 1965 survey by the Labor Department on the extent of compliance with the Fair Labor Standards Act, it is estimated that 1,770,000 employes were underpaid at one time or another during the two-year period, 1964-5. Underpayments amounted to $310 million or an average of $172 per worker. Over 343,000 establishments were involved in violations of one or more of the monetary provisions of the Fair Labor Standards Act.

The compliance survey of the Labor Department gives a fairly good picture of where the violations are and the enormity of the underpayments. During the two-year investigatory period, an estimated 700,000 workers failed to receive the proper minimum wage. Over $72 million was due workers not paid the statutory minimum.

Of the 700,000 employes paid less than the minimum, it is estimated that 38 percent were employed in manufacturing firms, with the worst violators in food processing and tobacco. Retail trade accounted for the largest single group of these underpaid workers. Over a quarter of the employes were in large establishments employing 100 or more workers. A majority of the workers were employed in firms or plants located in metropolitan areas. Nearly half the workers were in firms with more than one store.

The Labor Department survey also estimates that nearly a million and a half (1,463,000) employes were not paid in accordance with the overtime provisions of FLSA. Estimated back wages owed for overtime violations during the two-year period amounted to $236 million. Over two-thirds of the employes were engaged in non-manufacturing firms, with a large concentration of violations in construction and wholesale trade. Over one-fourth worked in establishments employing less than 10 people. Two-thirds of the employes worked in metropolitan areas and 41 percent worked for multi-plant firms.

The government survey estimates that over 8,000 employes were not paid in accordance with the equal pay provisions and nearly $2 million was owed for equal pay violations during the previous six to twelve-month investigatory period. Extensive violations were found in the chemical, petroleum, rubber, textile, apparel and leather industries.

The study of child labor violations showed that an estimated 72,400 minors were illegally employed by 48,000 establishments during the two-year period. The worst child labor violators were: lumber, furniture, paper, printing and publishing, construction and retail trade.

The South showed a significantly higher concentration of violating establishments than any other region of the country, according to the Labor Department's survey estimates.

SAMPLE INFORMATION FORM

For Developing a Minimum Wage Law Complaint

Fill in as completely as possible. You do not have to have all of this information in order to make a complaint to the nearest office of the Wage and Hour Division of the U.S. Department of Labor. An official form (Employment Information Form) can be obtained from that office.

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1. INFORMATION ABOUT ESTABLISHMENT

(a) Name of establishment_____

(b) Address_____
(Number and Street) (City) (Zone) (State)

(c) Does the firm have branches?_____Where?_____

(d) Nature of business_____
(Example: manufacturing stoves, construction, wholesale shoes, etc.)

(e) Does establishment ship out of state?_____Does establishment receive goods from out of state?_____

(f) Does the establishment sell to or perform services for the following types of business? (Check):

_____Private consumers _____Transportation companies
_____Hotels, restaurants, etc _____Other public utilities
q _____Retail dealers _____Mining companies
_____Wholesale dealers _____Manufacturers

(g) Has establishment worked on a U.S. GOVERNMENT contract recently?_____
What articles?_____

2. INFORMATION REGARDING WORKING CONDITIONS

(a) Person furnishing information is _____
(Example: present employee, former employee, competitor, union, etc.)

(b) In what respect do you think that the establishment has failed to comply with the Federal Wage and Hour Law or the Walsh-Healey Public Contracts Act:

Minimum Wage_____Overtime_____Oppressive Child Labor_____Record Keeping_____Illegal Home Work_____Other_____

Describe: (If additional space is needed, please use reverse side)

(c) What is basis of pay of employee(s) involved $_____per_____
(Examples: Hour, day, week, month, piece, etc.)

(d) Period of employment from _____to _____
(month,year) (month, year)

(e) Occupation of employee(s) - describe exact work in detail_____

_____

_____
(continue on reverse side, if necessary)

Name in full (Print): M_____Telephone_____
(Mr., Mrs., Miss)

Signature_____Date_____

Address (Print):_____
(Number) (Street) (City or Town) (State) (Zip)

Date of Birth (if under 21)_____

DIRECTORY OF OFFICES

WAGE AND HOUR DIVISION

U. S. DEPARTMENT OF LABOR

In most states there are Field Stations in addition to the Field Offices. The Regional or Field Office closest to you could tell you whether there is an even closer Field Station.

REGION IV

Alabama, Arkansas, Louisiana, Mississippi

Sterling B. Williams, Regional Director
1931 9th Avenue, South
Birmingham, Alabama 35205
Phone: (205) 325-3301

ALABAMA

Hansel J. Hunter
Investigation Supervisor
McCauley Building
1917 Fifth Avenue, South
Birmingham, Alabama 35233
Phone: (205) 325-3352

Charles A. Roberts
Investigation Supervisor
Rooms 406-408
951 Government Street Bldg.
Mobile, Alabama 36604
Phone: (205) 438-2552

Dalton O. Blake
Investigation Supervisor
413B Post Office and Court House Building
Montgomery, Alabama 36103
(Mailing Address Post Office Box 2269)
Phone: (205) 263-7346

ARKANSAS

Bill D. Guse
Investigation Supervisor
3527 Federal Office Building
700 West Capitol Avenue
Little Rock, Arkansas 72201
Phone: (501) 372-5292

LOUISIANA

Donald E. Zimpfer
Investigation Supervisor
830 Commerce Building
333 Laurel Street
Baton Rouge, Louisiana 70801
Phone: (504) 348-4239

John T. Radovich, Jr.
Investigation Supervisor
1015 Federal Building
600 South Street
New Orleans, Louisiana 70130
Phone: (504) 527-6171

Kenneth G. Swartz
Investigation Supervisor
90 Medical Arts Building
624 Travis Street
Shreveport, Louisiana 71101
Phone: (318) 425-6652

MISSISSIPPI

Joseph C. Massey
Investigation Supervisor
Milner Building
675 South Lamar Street
Jackson, Mississippi 39201
(Mailing Address Post Office Box 1202)
Phone: (601) 948-2349

REGION X

Kentucky, Tennessee, Virginia, West Virginia

Patrick M. Meloan, Regional Director
U.S. Court House Building
801 Broad Street
Nashville, Tennessee 37203
Phone: (615) 242-8321

KENTUCKY

Lillard Trice
Investigation Supervisor
Fuller Building
190 North Upper Street
Lexington, Kentucky 40507
Phone: (606) 254-7080
Ext. 7575

Henry T. Chambers
Investigation Supervisor
1003 Republic Building
Fifth and Walnut Streets
Louisville, Kentucky 40202
Phone: (502) 582-5226

TENNESSEE

Osborne C. Dodd
Investigation Supervisor
101 Cumberland Building
301 Cumberland Avenue, S.W.
Knoxville, Tennessee 37902
Phone: (615) 524-4011
Ext. 3146

Robert L. Sawyer
Investigation Supervisor
486 Federal Office Building
167 North Main Street
Memphis, Tennessee 38103
Phone: (901) 534-3418

Claiborne W. Carden
Investigation Supervisor
638 U.S. Court House Building
801 Broad Street
Nashville, Tennessee 37203
Phone: (615) 242-8321
Ext. 5452

VIRGINIA

Robert F. Ferguson, Jr.
Investigation Supervisor
10-016 Federal Building
400 North 8th Street
Richmond, Virginia 23219
Phone: (703) 649-3611
Ext. 2485

David E. Pickard
Investigation Supervisor
609-13 Peoples Federal Bldg.
101 S. Jefferson Street
Roanoke, Virginia 24011
Phone: (703) 343-1581
Ext. 368

WEST VIRGINIA

Wesley Smith
Investigation Supervisor
Federal Office Building and
Court House
500 Quarrier Street
Charleston, West Virginia
25301
Phone: (304) 343-6181
Ext. 348

Robert E. Lamb
Investigation Supervisor
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EFV

M - Ag Labor

THE CONDITION OF FARM WORKERS AND SMALL FARMERS IN 1968

REPORT TO THE BOARD OF DIRECTORS OF NATIONAL SHARECROPPERS FUND

by Fay Bennett, Executive Director

"I suggest that we take a searching look at our present national priorities. We have the biggest bomber, the fastest fighter, the only nuclear aircraft carrier. But among developed nations, we have the fastest decline in family farms, the most hungry people per thousand of our population, the dirtiest rivers and lakes, and the most congested cities."

Senator George McGovern, in a speech before the Western States Water and Power Consumers Conference, September 19, 1968

"Food and nutrition for the American people and maximum contribution to the world's hungry and starving are inextricably connected. A nation that refuses to grow food when food is needed, and refuses to give of its abundance to those who are starving, wherever they are, becomes a nation insensitive to the needs of its own people."

Margaret Mead in testimony before the Senate Select Committee on Nutrition and Human needs, December 19, 1968

The Year in Brief

1968 was the year in which American society proved it could identify its deepest flaws, yet ignore its own self-prescribed remedies. A steady stream of Presidential reports laid bare the institutional causes of poverty, racism, urban chaos, and rural decay. Television penetrated the sanctity of living rooms throughout the nation with visual evidence that the lives of many Americans are warped and destroyed by hunger, while farmers are paid not to grow crops. But those who looked to the political system for a commitment to basic change were largely disappointed. Farm subsidy and quota programs, restricting production and benefiting primarily big producers at the expense of small farmers, were extended at a time when millions were in need. Officials noted the passing of the biggest wave of rural outmigration, but the flow of young people persisted, adding to the social frustration and discontent of the urban slums.

Meanwhile, striking farm workers won international support for their boycott of California table grapes, but the outcome of their effort to gain union recognition remained uncertain as the government increased greatly its purchases of grapes and the big growers held firm. Whether the struggling efforts of the poor themselves would match their desperate need depended on a radical transformation of national priorities and policies. 1968 did not produce a national will commensurate with needed change.

The Decline of the Small Farmer

The condition of the small and the poor farmer is today more precarious than it has been since the depression years; more often than not, he is the victim rather than the beneficiary of government agricultural policy. More than a million farms have disappeared since 1959. The 3 million that remain have an average size of 377 acres, 30 per cent larger than the average farm in 1959. The average American farm worker in 1967* supplied the food and fiber needs of 42 people, compared with 23 in 1959. Just 200,000 farms produced half of the food and fiber grown in the United States. Since 1960, the total number of farm residents has dropped from 15.6 million to 10.5 million people, or only about 20 per cent of the total rural population. While the average number of persons leaving farms annually has decreased from 1 million during the 1950's to 3/4 million in the 1960's, the present figure still represents a high rate of loss, given the reduced size of the farm population. The average annual decline is now 4.5 per cent for white and 10 per cent for black farm people. Little more than a million Negroes are now estimated to be living on farms, a decline of nearly three-fifths in just eight years.

The near extinction of the black farmer is a direct consequence of the demise of the cotton tenant system in the South and the failure of government programs to provide meaningful aid to small farmers, both black and white. Of the approximately 1 million small farms that remain in the United States, the overwhelming majority are owned by farmers in late middle age or older. Unless there is a drastic change in farm policy these farms will cease to operate when their owners retire or die.

*NOTE: All Figures are for 1968 unless otherwise noted. Where 1967 figures are used, these are latest available.

M- Agricultural Workers J. E. - ~~aff. p. 47.~~ return to EV

THE CONDITION OF FARM WORKERS AND SMALL FARMERS IN 1969

REPORT TO THE NATIONAL BOARD OF NATIONAL SHARECROPPERS FUND

by Fay Bennett, Executive Director

"Meanwhile, our society continues to overlook . . . the injustices afflicting the migrant farm worker and his family. The problems result not only from society's inattention and collective neglect, but in many cases from the deliberate and express exclusion of farm workers from almost all conventional citizen and worker benefits enacted by state and federal law."

1969 Report of the Senate
Subcommittee on Migratory Labor

"After three and a half decades and costs of billions of dollars, the Department of Agriculture's farm programs continue to widen the gap between the rich and the poor. They have helped create a class of wealthy landowners while bypassing the rural poor — and that means 40 percent of the rural people in this country."

Dr. C. E. Bishop, Agricultural Economist
and Vice-President of the University of
North Carolina

The Year in Brief

In 1969, as the Nixon Administration took office, new promises were being made, but at year's end millions of Americans still suffered from hunger and malnutrition. Poverty still forced people to leave farms and rural communities and move to urban slums. Large corporations still received a disproportionate share of farm subsidy payments. Agricultural research, often paid for by American taxpayers, primarily benefited large farmers. Thus it was apparent that the nation's priorities had not changed.

Meanwhile, large numbers of poor people in rural America, not wanting to uproot for an uncertain future in overcrowded cities, were struggling to remain at home. Cooperatives were being formed; crops were being diversified; farmers with little formal education were participating in farm management training programs. Farm workers continued their fight for union representation, adequate wages, and decent working conditions. On the whole, America's rural poor — whether Southern black or white farmers, Southwestern Mexican-American or Filipino farm workers, or American Indians — were discovering a new pride in themselves and were seeking to gain a measure of security for their families and a chance for a better life. Their success, in large part, depends on how this nation sets its priorities.

Hunger in America

In 1969 there was more talk of hunger. President Nixon said in a Congressional address: "The moment is at hand to put an end to hunger in America itself for all time." The Senate Select Committee on Nutrition and Human Needs continued its hearings and turned up new evidence of hunger and the inadequacy of government food programs. Finally, in December, 3,200 people converged on Washington for the White House Conference on Food, Nutrition, and Health to chart a national nutrition policy.

In spite of all this, two years after hunger became a national issue, millions of Americans were still not getting enough to eat. According to the Select Committee, the food stamp and commodity distribution programs were serving a maximum of only 44 percent of the 14.4 million Americans who are so poor that they must have assistance if they are to escape malnutrition. Furthermore, roadblocks set up at the local level prevented the food programs from reaching millions of needy Americans.

Congress increased appropriations for the food stamp program to $610 million for fiscal year 1970, an increase of $270 million over the previous year. Legislation increasing appropriations to $1.25 billion passed in the Senate but was held up in the House Agriculture Committee. In December, the Administration liberalized the food stamp and school lunch programs. By the end of the year, almost 800,000 more people were participating in government food programs than in the previous year, and one million more children were receiving free or token-priced lunches. Moreover, 5,000 poor people had been hired as nutritional aides. But, although progress has been made, the government food programs were still inadequate. A report by the Bureau of the Budget showed that it would take a bare minimum of between $5 billion and $7 billion to close the hunger gap.

MLAP

CAPITOL DEVELOPMENTS

Published by: The Migrant Legal Action Program, Inc.
1820 Massachusetts Avenue, N.W., Washington, D.C. 20036
(202) 785-2475

~~Copy pp 4-5 for Task Force Team~~ Fielder

JUNE–JULY, 1972

Marilynne Jogeese, *Editor*

file Migrant Labor

THE AGENCIES

QUOTE OF THE MONTH: *"This secondary boycott is, in my book, strictly unAmerican. Let's take the Cesar out of our salad—That's my motto."*

The Hon. Earl Butz, Secretary
U.S. Department of Agriculture

Land Grant College System Criticized: Legal Action Comtemplated The Agribusiness Accountability Project in Washington, D.C., has released a preliminary report, *Hard Tomatoes Hard Times,* which charges America's land grant college system with failure to respond adequately to the critical needs of rural America. Based on the material contained in that report, MLAP is coordinating law suits at both the federal and state levels against the system. Plaintiffs will be farmers, farmworkers, small rural businessmen, consumers, alumna or graduates of land grant institutions, taxpayers, environmentalists, and other rural persons and organizations that have been injured directly or indirectly by the system. The purpose of the suits will be to divert the $750 million a year that now goes to the land grant colleges into research and other work that will benefit all those Congress intended when it set up the system.

The following are exerpts from remarks made by Jim Hightower at a recent press conference held to announce the publication of AAP's report:

The report charges that the greatest failing of this agricultural complex—including colleges of agriculture, agricultural experiment stations, and state extension services—is its total abdication of leadership. At a time when rural America desperately needs scientific and intellectual attention to meet real problems, the land grant community has ducked behind corporate skirts, mumbling apologetic words like progress, efficiency, and inevitability. Reaching into all 50 states, the complex is huge, intricate and expensive—the total complex is approaching an expenditure of three-quarters of a billion tax dollars each year from federal, state and county governments. The public pays for everything from test tubes to experimental farms, from chalk to carpeting in the dean's office, and is hailed as the greatest beneficiary of the land grant college effort. But in fact consumer interests are con-

(continued on page 2)

EPA Withholds Pesticide Studies as Bill Goes to Commerce Committee MLAP testified before the Senate Agricultural Research and General Legislation Subcommittee in March when the Subcommittee was considering H.R. 10729, the amendments to the Pesticide Act, as did other farmworker representatives having firsthand knowledge of the dangers of pesticides to field workers. At that time we included in the record some of the most recent studies that had been done by private doctors on pesticides and their harm to farm labor families.

Not included in the hearing record of the Agriculture Committee were the *public* studies that were subsequently discovered in the possession of the Environmental Protection Agency, which would have further documented the problem and revealed the need for very carefully considered legislation on this subject. Perhaps if the Agriculture Committee had had the benefit of EPA's knowledge from these studies, more serious consideration would have been given to the amendments proposed regarding farmers, farmworkers and others who come into direct contact with economic poisons or their residues.

We called all this to the attention of the Senate Committee on Commerce, Subcommittee on the Environment, on June 15. We noted that the EPA was silent on the issue of dangers to man, and complained that the Committee on Agriculture had dismissed recommendations by Senator Adlai Stevenson (D-Ill.) and others, without even a mention of farmworkers or field workers at any point in the bill as reported out of that Committee or in the report accompanying that bill.

The Committee report cavalierly states: "The bill provides complete safeguards to protect farmers and others coming into contact with pesticides or residues." The various amendments offered were rejected by the Committee's rationale that "by specifically mentioning particular areas protected by the general provisions, there might be some suggestion that the general provisions should be construed to cover less than actually intended," citing the definition of "environment" as including *all men*, whether or not they come into contact with pesticides or pesticide residues.

However, it is obvious to anyone who has dealt in farmworker problems that farmworkers are usually not included within a definition of "all men" any more than they were considered by the Committee on Agriculture or any more than the chemical companies consider farmworkers as human guinea pigs when they conduct experimental tests on them in California and elsewhere.

CD will not be published next month because the entire staff will be on vacation. Publication will be resumed when she returns.

MANPOWER INFORMATION SERVICE

August 16, 1972

Supplement No. 58

OCT 19 1972

REFERENCE FILE
CONTENTS COVERING SHEET

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DATA	Pages Not Required	Pages in This Report
Table of Contents (Revised)	71:1001	71:1001
Registered Apprentices in the U.S., by Trade, 1970-1971 (New)		
Registered Apprentices in Construction Trades in the U.S., by Region and State, 1970-1971 (New)	71:6511-12	71:6511-12
Registered Apprentices in Metal Working Trades in the U.S., by Region and State, 1970-1971 (New)		
Registered Apprentices in Printing Trades in the U.S., by Region and State, 1970-1971 (New)	71:6513-14	71:6513-14
CONTENTS COVERING SHEET		
This contents page is for MIS-RF Supplement No. 58 (Retain in front of MIS-Reference File)	No. 57	No. 58

Editorial content by Stanley H. Ruttenberg and Associates, Inc., 1211 Connecticut Avenue, N.W., Washington, D.C. 20036.

Published bi-weekly by Manpower Information, Inc., a division of The Bureau of National Affairs, Inc., 1231 25th St., N.W., Washington, D.C. 20037. Subscription rates $396 per year. Second Class postage paid at Washington, D.C., and additional mailing offices.

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BNA

SUMMARY OF LATEST DEVELOPMENTS

No. 196 August 24, 1972

Route to . . .

Removals

OCT 19 1972

EEOC Delay in Serving Notice

EEOC's heavy workload and overburdened staff excuse its failure to serve a company with a copy of the charge an employee filed against it for more than a year. That's the holding of the U.S. Court of Appeals at New Orleans, which reverses a lower court. The appeals court notes, however, that under the 1972 amendments to the Civil Rights Act of 1964, notice of a charge must be served within ten days.

At the time a charge of racial discrimination was filed in 1969, the regional office of EEOC had a backlog of 333 cases, and new cases were coming in at the rate of 75 per month. Under these circumstances, the appeals court thinks EEOC did its best to minimize the possibility of employer reprisal during the hiatus before an investigation could begin. One technique it used was not to serve charges until an investigation was imminent. The court sees nothing wrong with that. (Chromcraft v. *EEOC*, 4 FEP Cases 1085)

Racial Earnings Gap Study

The economic gap between blacks and whites narrowed between 1965 and 1970, but remained large, according to a study released by the Conference Board, an independent business research organization. In that five-year period, the board finds average income for whites grew 40 percent to reach $10,236, while average black family income grew 60 percent to reach $6,279. As a result, the average black family in 1970 earned 61 percent as much money as its white counterpart. In 1965, the figure was 54 percent.

Most of the gain for blacks came in 1966, when the percentage jumped from 54 percent to 58 percent, the Conference Board says. It notes that 1966 was the first full year of operation of the Equal Employment Opportunity Commission.

In another indicator of progress, the board reports that the number of black families earning more than $10,000 doubled between 1965 and 1970. The number of white families above this level in the same period was up one third. As of 1970, 28 percent of black families in the U.S. had incomes of $10,000 or more, compared with 52 percent of white families.

Poverty figures continue to show a huge difference between the two groups, the board notes. Using a $3,968 base for the non-farm family of four as the poverty line, the board found that 29 percent of black families were living in poverty in 1970, compared to only 8 percent of white families.

Bias at Library of Congress

A high-ranking woman at the Library of Congress was denied the post of register of copyrights because of her sex, and because she advocated the appointment of blacks to higher positions, a federal hearing examiner finds. The examiner, appointed to the case by the Civil Service

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MANPOWER INFORMATION SERVICE

August 30, 1972

Supplement No. 59

REFERENCE FILE
CONTENTS COVERING SHEET

OCT 1 9 1972

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	Pages Not Required	Pages in This Report
DATA		
Table of Contents (Revised)	71:1001	71:1001
Enrollments in Selected Manpower Programs, by State, Monthly Supplement—May 1972 (New)		71:1135
Work Force, Unemployment, and Unemployment Rates in 150 Major Labor Areas, Monthly Supplement—April 1972 (New)		71:6105-06
CONTENTS COVERING SHEET		
This contents page is for MIS-RF Supplement No. 59 (Retain in front of MIS-Reference File)	No. 58	No. 59

Editorial content by Stanley H. Ruttenberg and Associates, Inc., 1211 Connecticut Avenue, N.W., Washington, D.C. 20036.

Published bi-weekly by Manpower Information, Inc., a division of The Bureau of National Affairs, Inc., 1231 25th St., N.W., Washington, D.C. 20037. Subscription rates $396 per year. Second Class postage paid at Washington, D.C., and additional mailing offices.

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Fair Employment Practices

SUMMARY OF LATEST DEVELOPMENTS

No. 197 September 7, 1972

Route to . . .

Removals

OCT 19 1972

Schlitz Shares Gusto

Jos. Schlitz Brewing Co. and Operation PUSH, a national civil rights organization headed by the Rev. Jesse Jackson, reach an agreement aimed at a significant increase in minority hiring and use of minority-owned services and businesses by Schlitz. The agreement, reached after three months of negotiations, provides for 15 percent minority employment in all job levels from unskilled laborers to management.

Other features of the agreement call for Schlitz to:

▶Deposit 15 percent of its idle cash and federal income tax payments in minority-owned banks.

▶Allocate 15 percent of its advertising budget to minority media, and allocate 15 percent of its construction expenditures to minority contractors.

▶Increase the use of minority doctors, law firms, public relations firms, and insurance companies.

▶Increase the use of minority distributors in cities with large minority populations whenever territories can be made available, consistent with franchise agreements.

Jackson says the Schlitz agreement is the first of many that PUSH hopes to reach. He says that PUSH is looking at other companies in the food and beverage industries also, because these are areas "where the black consumer is most prominent and thus where our threat of a black boycott is most effective."

Camden Plan

A Camden Plan to provide for minority hiring in construction in the three-county Camden, N.J., area would be added to such imposed plans as the Philadelphia and Washington Plans, under a proposal published by the Office of Federal Contract Compliance in the August 26 *Federal Register.*

Although the overall nonwhite minority population of the Camden area is approximately 22 percent, data reveals that current minority representation among journeymen in unions does not exceed 9 percent in any of the major construction trades.

The Camden Plan would require contractors bidding on federally-involved construction to submit with bids their goals for minority manpower utilization in specified trades in terms of percentages of manhours to be worked by each trade. Escalating ranges for each trade are established for the years through 1975.

Grant for Spanish Aides

Forty million dollars is being made available by the Labor Department to 40 large cities in an effort to get more Spanish-speaking persons involved in local manpower planning. The grants permit each of the city mayors to hire one additional Spanish-speaking manpower specialist to augment staffs working under the Cooperative Area Manpower

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OCT 1 9 1972

MANPOWER INFORMATION SERVICE

September 13, 1972

Supplement No. 60

REFERENCE FILE
CONTENTS COVERING SHEET

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	Pages Not Required	Pages in This Report
DATA		
Table of Contents (Revised)	71:1001	71:1001
Work Force, Unemployment, and Unemployment Rates by State, Annual Averages, 1968-1971 (New)	71:5551	71:5551
Work Force, Unemployment, and Unemployment Rates in 150 Major Labor Areas, Annual Averages, 1968-1971 (New)	71:6011-14	71:6011-14
Monthly Supplements—1971: Work Force, Unemployment, and Unemployment Rates in 150 Major Labor Areas (Delete)	71:6069-98	.....
Work Force, Unemployment, and Unemployment Rates in 150 Major Labor Areas: Monthly Supplement—May 1972 (New)	.....	71:6107-08
CONTENTS COVERING SHEET		
This contents page is for MIS-RF Supplement No. 60 (Retain in front of MIS-Reference File)	No. 59	No. 60

Editorial content by Stanley H. Ruttenberg and Associates, Inc., 1211 Connecticut Avenue, N.W., Washington, D.C. 20036.

Published bi-weekly by Manpower Information, Inc., a division of The Bureau of National Affairs, Inc., 1231 25th St., N.W., Washington, D.C. 20037. Subscription rates $396 per year. Second Class postage paid at Washington, D.C., and additional mailing offices.

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Fair Employment Practices

SUMMARY OF LATEST DEVELOPMENTS

No. 198 September 21, 1972

Route to . . .
Copy p4
file under "Testing"

Banking Profile

The commercial banking industry has been commended by the Treasury Department for its minority hiring and utilization policies.

Citing early returns of a 1972 Treasury study, the director of Treasury's office of equal opportunity says that statistics show employment of blacks in banking has risen to 65,000, up from 55,542 in 1970. Employment of Spanish-surnamed Americans has increased to 30,000, up from 23,858 in 1970.

The EEO director also details an earlier Treasury study (1966-1970) which showed:

▶A 147 percent increase in employment of blacks, from 22,581 to 55,542.

▶A 90 percent increase for Spanish-surnamed Americans, from 12,587 to 23,858; a 64 percent increase for American Indians, from 433 to 712; and a 63 percent increase for orientals, from 4,892 to 7,973.

While these statistics are impressive, the EEO director says, a remaining challenge to the banking industry is "acknowledging that, although the industry employs approximately 65 percent females, most banks have not utilized women to their fullest, and now is the time to assure that women are the beneficiaries of affirmative action in management and training opportunities."

In a new development, Treasury officials at the American Bankers Association's national personnel conference indicate that they no longer will be interested in numbers of minority group members employed, but rather in the positions they hold.

No Forced Leave

A teacher can't be forced to take a leave of absence simply because she is pregnant, the U.S. Court of Appeals at Richmond holds. By its decision, the appeals court upholds a district court's order that the Chesterfield County School Board pay the aggrieved teacher three months back wages.

The complainant, a high school teacher, filed suit when the county board put her on leave of absence in December 1970. She maintained that it was up to her and her doctor to decide when she should stop teaching for medical reasons.

The district court had ruled that the school board's policy of requiring teachers to take leaves of absence after the fifth month of pregnancy was discriminatory in that the policy violated the constitutional right of equal protection of the law in treating pregnancy in a different manner than other medical conditions. (Cohen v. Chesterfield County School Board—CA5, 4 FEP Cases 1237)

Women in Unions

A coalition of women's rights organizations asks AFL-CIO President George Meany to help broaden the role of women

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The court decides that the company's refusal to promote the employee wasn't based primarily on sex, and that she was not pressured into resigning.

Although the woman was not discriminated against, the court thinks, pointing to the sharp increase in the number of female promotions to the CCI category in the years 1970-72, that the woman's suit probably prodded the company into affirmative action.

CEP Falls Short

The operation of three Concentrated Employment Programs in New York City that were started in June 1967 to develop model programs before expanding into other New York Metropolitan areas having critical unemployment problems are termed "unsatisfactory" by the General Accounting Office. The program centers are South Bronx, and East and Central Harlem. The GAO report says that the Labor Department spent $15.7 million on the three programs through fiscal 1971, but they never met job placement goals, and only in the initial phase of the first of the three plans was an enrollment goal met.

The GAO says one of the discouraging aspects of the performance of the three programs was the low proportion of enrollees who were hard-core unemployed males and the primary family wage earners. A major CEP objective is to overcome long-standing poverty and unemployment, GAO points out, and the major target group would be persons who furnish the primary or major share of their families' income.

In its recommendations, the GAO report calls for "an intensive, concerted, on-the-street and door-to-door outreach activity." This method is generally accepted as the major method of enrolling adult minority group males because this segment of the population is the hardest to reach, the report says.

Back Wages Due

G. C. Murphy has agreed to pick up the tab for $548,000 in back wages due to 246 current and former female warehouse employees at its facilities in McKeesport, Pa. The settlement is a result of a class action suit filed three years ago by 18 women charging sex discrimination under the Civil Rights Act.

The women alleged that the job classification system at the McKeesport warehouse opened only three types of jobs for females compared with eight for males, and that disparities in wages were discriminatory.

The company puts the blame on its contracts with the Retail Clerks and the Teamsters, which, the company maintains, forced it into discriminatory practices. The company says it has sued the unions to recover the amounts to be paid the women.

FEP #198 - 9/21/72

Tests Overestimate Blacks

Employment tests generally are not biased against blacks, according to William W. Ruch, vice president of Psychological Services, Inc., Los Angeles, in a speech before the American Psychological Association.

Ruch says that after analyzing 20 studies of employment testing and racial bias which include separate statistics for blacks and whites, he finds that black job performance, if anything, is slightly overestimated. "If tests are to be construed as being unfair, we would have to say that they are unfair to whites," he says.

Following EEOC and OFCC guidelines in this situation, Ruch points out, passing scores would have to be set higher for blacks than whites to compensate for the tendency of tests to overestimate black job performance. Ironically, Ruch concludes, the effect would reduce, not increase employment opportunities for blacks.

OCT 1 9 1972

MANPOWER INFORMATION SERVICE

September 27, 1972

Supplement No. 61

REFERENCE FILE
CONTENTS COVERING SHEET

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	Pages Not Required	Pages in This Report
LAWS AND REGULATIONS		
Table of Contents (Revised)	91:1001	91:1001
Regulations of the U.S. Department of Health, Education, and Welfare Governing Social Service Grants to States (New)		91:2501-14
CONTENTS COVERING SHEET		
This contents page is for MIS-RF Supplement No. 61 (Retain in front of MIS-Reference File)	No. 60	No. 61

Editorial content by Stanley H. Ruttenberg and Associates, Inc., 1211 Connecticut Avenue, N.W., Washington, D.C. 20036.

Published bi-weekly by Manpower Information, Inc., a division of The Bureau of National Affairs, Inc., 1231 25th St., N.W., Washington, D.C. 20037. Subscription rates $396 per year. Second Class postage paid at Washington, D.C., and additional mailing offices.

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BNA

SUMMARY OF LATEST DEVELOPMENTS

No. 199 October 5, 1972

Route to . . .

Copy p. B 4

Contractor Debarred

Russell Associates, Inc., a Philadelphia plumbing contractor, has been debarred from receiving further federal or federally-assisted construction contracts because the firm has not complied with the Philadelphia Plan. The debarment is in connection with a contract on an HUD-assisted turnkey housing construction project sponsored by the Montgomery County, Pa. Housing Authority.

A prime contractor on the project, Backman Construction Co., submitted manpower utilization reports to HUD indicating that Russell Associates, a subcontractor on the project, had failed to use minorities sufficiently to achieve the goals and timetables to which it was committed.

After conciliation efforts to bring the company into compliance failed, HUD ordered Russell Associates debarred from further federal contract work.

Bias on Wall Street

A petition has been filed with the Securities and Exchange Commission and private organizations to force all brokerage firms to adopt nondiscriminatory hiring and promotion practices. The petition, filed by the Office of Communication of the United Church of Christ and other interested groups, alleges that the securities industry has had a poor record in hiring or promoting minorities.

For example, blacks, it alleges, hold only 0.4 percent of the selling jobs in the securities industry, and all minorities combined represented only 1.7 percent. In the area of female employment practices, the petition charges that almost 90 percent of those employed in the industry are in deadend jobs and that they are "virtually excluded" from sales positions which traditionally have led to higher-level jobs.

The petitioners argue it is up to SEC to regulate the industry by issuing rules that would require the adoption by their members of affirmative action plans.

Boost for WIN Credit

The National Alliance of Businessmen (NAB) plans to focus one third of its 1973 efforts on "educating businessmen to the economic justification" of hiring welfare recipients using the 20 percent Work Incentive (WIN) tax credit.

NAB officials say they hope to achieve 30 percent of their total 1973 placement goals through the WIN effort. This would amount to over 50,000 new hires.

"We're stressing the simplicity of this program to businessmen who may view it as another complex federal program requiring volumes of paperwork and recordkeeping," a NAB spokesman says. The employer need only maintain the usual payroll data and will submit a simple form—soon to be made available by the Internal Revenue Service—to claim his tax credit. Initial promotion of the program is underway.

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Copy for EO for Bates Forum

For their administrative expenses, employers may receive an amount up to 10 percent of the invoiced costs of their JOB components (not including transportation, medical/dental and child care.)

The contract revisions reduce the entrance schedule for JOBS hires to 90 days. Employers will be permitted to replace dropouts with new trainees for up to 20 percent of the slots until the hiring schedule is completed. After 90 days no further replacement will be allowed. Funds for unfilled slots will automatically be deobligated from the contract at the end of the hiring period.

AT&PN

AT&T Plan

An agreement with the American Telephone and Telegraph Company for an affirmative action plan for equal employment opportunity is announced by the General Services Administration. The plan will affect 21 major Bell System companies in 700 establishments throughout the country that employ almost 800,000 persons. The agreement will provide for more than 50,000 higher-paying jobs for women and 6,600 better-paying jobs for minority men.

Although GSA Administrator Arthur F. Sampson considers the agreement a milestone in the history of equal employment opportunity, and says there is no doubt that it will produce similar agreements in other industries, the National Organization for Women (NOW), and the National Association for the Advancement of Colored People find it lacking in several respects.

NOW says that A T & T's program has significant deficiencies, among which are:

▶ Failure to provide special relief, such as back pay to women and minorities who have been subjected to discrimination in the past.

▶ Failure to adopt meaningful goals and timetables for the employment of females in outside craft jobs.

▶ Failure to adopt the maternity leave guidelines issued by EEOC.

▶ Failure to change testing practices that have an unfair impact on minorities.

NAACP says the agreement's major weakness is that it fails to identify and provide relief for any persons who have been aggrieved by Bell's discriminatory practices.

Amid the controversy, the Office of Federal Contract compliance, which has responsibility under Revised Order No. 4 (401:221) of reviewing agreements on equal employment opportunity entered into by government compliance agencies, has assumed direct jurisdiction over the plan from GSA, and will review the plan to insure that it is in compliance with Executive Order 11246 (401:75).

Blacks in Retailing

An analysis of black employment in department stores, drug stores, supermarket chains directed by the Wharton School of Finance and Commerce shows a limited but increasing utilization of black employees in wholesale and retail trade.

The study, entitled "Negro Employment in Retail Trade," notes that black employment in the three categories of 1970 was less than for the economy at large, 8.1 percent as opposed to 10.3 percent. This is attributed in part to the concentration of black employment in blue collar fields, and the preponderance of white collar retail employment.

The occupational distribution of black jobs within the three retail groups was generally disproportionately light in the managerial and professional classes, although supermarkets tended to have the most even distribution of blacks.

The study is published by the University Pennsylvania Press, Inc., and can be ordered from 240 Canal St., Lawrence, Mass. 01840 at $12 per copy.

FEP #199 10/5/72

Copy for EV to Barbara R.

EEOC's State

One fourth of the way into fiscal 1973, the Equal Employment Opportunity Commission has a backlog of 56,000 cases, compared to 33,000 at the end of fiscal 1971. However, it still is operating at the same rate it has in the past because the increased budget it requested for its expanded work load has not been approved by Congress. The Commission has filed only 11 court cases, utilizing the enforcement authority given it in the 1972 amendments to Title VII.

The foregoing information comes from a letter from EEOC Chairman William H. Brown III to Senators Harrison A. Williams (D-NJ) and Jacob K. Javits (R-NY), and from interviews with EEOC staff members.

Brown said in a recent speech that when EEOC is fully staffed, he expects 10 to 15 court cases to be filed every two weeks, which would result in a minimum of 260 and a maximum of 390 suits a year. These numbers alone show that there will be little time to spend on the charges of individual complainants.

The first court suits filed by EEOC demonstrate the point. All of the 10 cases filed since March 24 seeking an order against employment discrimination allege a "pattern or practice" of discrimination and make no reference to individuals. However, each of the "pattern or practice" suits filed would affect many individuals beyond those who have filed charges.

EEOC now has 45 lawyers in its General Counsel's office and expects to add 150 if Congress finally approves the budget approved by the Senate. It amounted to $42.9 million, in contrast to the House appropriation of $25.1 million, which would mean no increase. No date has been set for a conference to reconcile the Senate and House differences.

In anticipation of the time when it will have a larger legal staff, EEOC has planned what is called a "four track" system for using its attorneys. The plan calls for using 15 percent of its litigation staff on cases of national impact, 30 percent on cases with regional impact, 45 percent on larger local employers, and 10 percent on cases calling temporary restraining orders which have novel points of law or some other distinction. The cases selected to be filed will be judged by their impact, number of employees involved, complexity of issues, numbers of charges, and employer's compliance history.

The commission has some plans for speeding up its work besides adding more employees. It is working on new investigative procedures that will make more extensive use of interrogatories, thereby cutting down on investigators' travel time. Decentralization of the writing of decisions to the field offices also is pointed to as a timesaving move.

EEOC has no way of telling whether employers are settling more individual cases voluntarily as a result of the amendments, which hold threat of a court suit. It believes that the strengthening of the agency's hand was responsible for two voluntary settlements involving groups of people. One settlement was with United Parcel Service, which agreed to use one female driver for every three male drivers in its western region. The other was with Columbia University, which was going to fire 27 maids, but agreed to let them bid on other jobs after charges had been filed with EEOC.

For those thousands of individuals who, it would appear from the statistics, will be left out in the cold with their charges of discrimination under EEOC's 260-390-cases-a-year program, a Commission spokeswoman says that they are the ones that "the private bar could handle very adequately."

MANPOWER INFORMATION SERVICE

October 11, 1972

Supplement No. 62

OCT 19 1972

REFERENCE FILE
CONTENTS COVERING SHEET

NOTE: The instructions below should be followed carefully. The boldface headings on the left correspond to the chapter tabs in your service. Obsolete pages in your service are listed in the column headed "Pages Not Required." New and replacement pages in this supplement are listed in the column headed "Pages in This Report." It is important to follow instructions in both columns.

Retain the covering sheet for this supplement in the front of your service. Discard the covering sheet for the prior supplement; it is not required. Supplements amending old material or supplying new material are numbered consecutively. Check the issue number at the top of this supplement against the number on the sheet not now required to be certain your service is complete.

	Pages Not Required	Pages in This Report
CONTRACT APPLICATIONS		
Table of Contents (Revised)	61:1001	61:1001
Job Opportunities in the Business Sector (JOBS)—Entry Training Program (Revised)	61:3001-99	61:3001-20
Job Opportunities in the Business Sector (JOBS)—Upgrading Program (New)	.....	61:3075-87
LAWS AND REGULATIONS		
Regulations of the U.S. Department of Health, Education, and Welfare Governing Social Service Grants to States (Pages Misnumbered)	95:2501-04 91:2511-14	95:2501-04 91:2511-14
CONTENTS COVERING SHEET		
This contents page is for MIS-RF Supplement No. 62 (Retain in front of MIS-Reference File)	No. 61	No. 62

Editorial content by Stanley H. Ruttenberg and Associates, Inc., 1211 Connecticut Avenue, N.W., Washington, D.C. 20036.

Published bi-weekly by Manpower Information, Inc., a division of The Bureau of National Affairs, Inc., 1231 25th St., N.W., Washington, D.C. 20037. Subscription rates $396 per year. Second Class postage paid at Washington, D.C., and additional mailing offices.

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Migrant Labor ~~Ap 5 x 10~~ 2 fill

MLAP

CAPITOL DEVELOPMENTS

Published by: The Migrant Legal Action Program, Inc.
1820 Massachusetts Avenue, N.W., Washington, D.C. 20036
(202) 785-2475

Marilynne Jogeese, Editor

SEPTEMBER – OCTOBER, 1972

LITIGATION

Indiana Judge Rules "Divine Right of Kings" Passe'

In the most far-reaching access case won to date, Judge S. Hugh Dillon, in the U.S. District Court for Southern Indiana, ruled recently that Union representatives and government-funded organizations have the right to enter migrant labor camps to distribute information about rights to organize and about other services available to migrant workers. The plaintiffs in the case were members of Associated Migrant Opportunity Services (AMOS), an OEO-funded program set up to aid migrants, and representatives of the Farm Labor Aid Committee (FLAC) which represents the United Farm Workers in Indiana.

Defendants in the case were Ivan Morgan, his packing company, and several of his employees. Morgan is one of the largest growers in Indiana and owns at least six labor camps—some employing 1,400-1,500 migrant workers at peak season.

Suit was brought after Morgan and his land agent tried to prevent AMOS and FLAC from disseminating information on labor organization and other farmworker rights in his camps. The Judge granted a permanent injunction permitting AMOS, FLAC and other similar organizations to enter the camps for legitimate purposes. The decision was based on the opinion of the court that the owner of the land had no right to restrict visitors to the camp nor to censor information received by camp residents. As Judge Dillon remarked:

"The only truly amazing thing about this case to me is that in this day and age there is anyone who still feels that he has such a right. The divine right of kings has been dead, I think—or I thought until [this case]—for several centuries." He went on to say that he had no difficulty in agreeing with plaintiffs that "the right of people to talk to other people is the most fundamental right protected by the Constitution of the United States. You just can't get any more fundamental than that. And to say that these people—who don't speak English at all, or very well—can be put out here and isolated from the community, and isolated from anyone who would try to give them some helpful hints on how to better their condition, just absolutely is shocking to me."

He concluded his remarks by telling Morgan that: "These people—in fact, I know and I am telling you that they are entitled to free speech and free association, because they are the people in control of these houses: you are not. You can go in there and inspect them and see if the showers work and police up the grounds. I hope all that happens—keep them sanitary. But you have no right to control whoever comes in there for any purpose. They are people; they are citizens; they live there, and you can't control who comes in or what they say. You just can't do that. Your own right of entry during the period of their tenancy is limited for purposes of inspection of the physical property and housekeeping: that's it."

The suit, *Munguia v. Morgan,* was brought on behalf of plaintiffs by the Indiana Civil Liberties Union and MLAP.

Arizona Labor Bill: The Union Fights Back.

We reported in some detail in our last issue on Arizona farm labor legislation which the Farmworkers' Union feels would be highly detrimental to the farmworkers' cause. Among many other things the bill, signed into law on May 11, and which became effective on August 13, would prohibit the secondary boycott and strikes by farmworkers.

On August 14, the Union and others retaliated by filing a complaint for injunctive and declatory relief against Governor Jack Williams, the State Attorney General, its Treasurer, and Finance Commissioner.

The basis of the complaint is the classification established by the Act, both in its intent and effect, to single out the class of plaintiff farmworkers as the only group subject to the restrictive and burdensome provisions of the law and invidiously discriminates against this class which is overwhelmingly made up of persons who are of racial and ethnic minorities and who are of an extremely low income group.

The complaint goes on to allege that the classification between the agricultural employees who are covered by the Act and other employees who the law does not cover is arbitrary and unreasonable. There exists no legitimate state interest for including the plaintiffs within the coverage of this law while excluding other employees, many of whom are also employed in the agricultural industry, from coverage under the Act.

According to the complaint: "The provisions of this law unduly restrict the plaintiffs' rights to picket, strike, boycott and gain recognition as the lawful bargaining agent, thereby infringing on the plaintiffs' fundamental rights of association and communication guaranteed by the First and Fourteenth Amendments of the U.S. Constitution. The application of these restrictive provisions and regulations upon First Amendment activities of the plaintiffs without also applying them to other employees similarly situated denies to the plaintiffs the equal protection of the laws as guaranteed by the Fourteenth Amendment of the Constitution."

Farm Labor

MLAP

CAPITOL DEVELOPMENTS

Published by: The Migrant Legal Action Program, Inc.
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Marilynne Jogeese, Editor

NOVEMBER–DECEMBER, 1972

LITIGATION

Florida Farmworkers Go to Court Over Housing Site

The City of Delray Beach, Florida, doesn't seem to like migrants or seasonal farmworkers—or possibly they just have a thing about blacks and Chicanos. At least that was the impression that the United Farmworkers of Florida (UFWOF) were laboring under when they filed suit in United States District Court for the Southern District of Florida when the city refused to provide their corporation with sewage and water rights for a proposed multiple-dwelling community to be located near the city's outskirts. The purpose of the community is to decently house at least some of Palm Beach County's 30,000 migrant farmworkers who are now living in airless, heatless, vermin-infested rural slums—and paying through the nose for the privilege.

The city has had no problems in supplying water and sewage to trailer camps and other unincorporated "communities" near its perimeters, but when presented with plans for a well laid out community for migrants and seasonal workers the City Council and Zoning Board turned down the UFWOF application on the grounds that the City's Master Land Use Plan, which sets forth planning guidelines for the city and for part of the unincorporated county, provides that the site UFWOF had applied for be used either as a public park or be developed residentially at a maximum density of six units per acre. The Council, however, not only seemed to have overlooked the fact that the site in question is in the unincorporated section of the county and therefore not subject to the jurisdiction of Delray Beach for planning and zoning purposes, but also the fact that the Master Plan itself was not approved by the Council until months after the plan for UFWOF housing was presented.

The UFWOF housing plan itself was to be funded by a nonprofit housing corporation which had applied to the Farmers Home Administration for a 90% grant and a 10% loan. This application had apparently received high priority from the FmHA. The land involved is a five-acre tract with a water line going right through it and a sewer line some 800 feet distant. The corporation is willing to pay all connection and and use fees which amount to 125% of the city rate for service in the county and has obtained an option on the land for about six months pending the solution of the water and sewage connection problem.

The site in question was selected because the current county zoning for this parcel encourages multi-family development (up to 30 units per acre) and because the site is located near essential public services such as schools, shopping, fire protection, etc. Multi-family zoning is necessary to such efforts as subsidized low-cost rental housing cannot be built on an economically feasible basis in areas zoned for single-family uses. The high costs of land development necessitate a greater density of development only possible under multi-family zoning. Access to public services is a requirement for federal funding, and UFWOF was forced to abandon a previously selected Palm Beach County site when the FmHA advised that the public services in the area were inadequate.

On December 6, the District Court ruled against the proposed project—the date the UFWOF option on the housing site was to expire. The Rural Housing Alliance then recommended strongly that the option be picked up by the farmworker corporation and attorneys for plaintiffs in the case plan to file and immediate appeal in the Fifth Circuit Court in New Orleans. A final verdict is expected sometime in February and Florida Rural Legal Services attorneys are "highly optimistic" about obtaining a verdict which will enable the project to go ahead.

USDA Fights Back Wages for Louisiana Sugar Workers

In U.S. District Court for the District of Columbia, Judge John H. Pratt has barred the U.S. Department of Agriculture from paying any subsidies to Louisiana sugar growers until Secretary Butz orders a retroactive wage increase for 16,500 sugar workers in that state.

Judge Pratt issued a preliminary injunction in response to plaintiffs' requests on the grounds that:

"First, it is our judgment that the Secretary had an obligation under the statute [Sugar Act of 1948] and the regulations not only to hold an annual hearing as to the wage scale applicable to sugar cane workers but also to issue an annual determination. Under the language of the regulations, after a reasonable time, the proposed annual determination is to be issued for immediate approval by the Secretary.

"Taking into account past practice running over a period of 20-some years, this would mean that the annual wage determination should be made on or about the time of the start of the harvest season. So I think there was an abuse of discretion, if the Secretary had any discretion, not to have issued the annual determination prior to the time that he acted effective 7 January 1972. I think the announcement made, namely that because of the Economic Stabilization Act, he would make no wage change, did not amount, in effect, to an annual wage determination. It was not published in the *Federal Register,* and was nothing more than a statement by him that 1970 wage rates would remain in effect until further notice.

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AREA CODE 501
FRANKLIN 6-3021

November 22, 1966

AIR MAIL

Miss Vera Rony
18 Avery Drive
Atlanta, Georgia 30309

Dear Vera:

I am enclosing the first installment of some of the material I agreed to send you.

Here are the basic documents in the Bogalusa and El Dorado Title VII court actions. For Hicks v. Crown Zellerbach etc., I enclose a complaint and amendment to the complaint, my answer on behalf of the unions and a motion to dismiss filed by the employer. In Dykes v. The Monsanto Company etc., I enclose the amended complaint, the answer of the employer and my answer. In both cases there have been many many more documents filed but these are the principal ones and I believe they will give you an idea of what the actions involve.

I read your Dissent article on the way back from Atlanta. I thought it was very accurate and very good. Your rather optimistic ending was perhaps unjustified, however, especially in view of the court action.

As I told you, I believe that Title VII is actually very weak and in a way I regret when court actions are filed once the issue is raised because they tend to freeze the position of the parties, who then become controlled by cautious lawyerism.

I will be sending you some more things from time to time. Incidentally, I have decided I cannot make the WDL Board meeting but wrote a letter in response to the call giving an opinion that the WDL should continue in its present form if possible.

I enjoyed seeing you again and look forward to future contact.

Sincerely,

James E. Youngdahl

JEY:blm
ENC.

opeiu105aflcio

SORROW SONG IN BLACK AND WHITE

The Southern Farm Worker 1880 - 1967

by

Vera Rony

* * *

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18 Avery Drive NE
Atlanta, Georgia

April 17, 1969

Mr. Gerald Freund
Associate Director
Humanities and Social Sciences
The Rockefeller Foundation
111 West 50th Street
New York, New York 10020

Dear Mr. Freund:

Thank you for your letter of April 4 about Mrs. Rony. Attached are a part of the manuscript of her work in progress and some explanatory matter about it. She does not know this is being sent to you.

If I can be of any further help, please let me know.

Yours truly,

W. P. (Pat) Watters, Jr.
Director
Information

WPW/km

Enclosure

MEMO

from the desk of _____

V. Perry has purloined away, 12/13/66:

1) Labor in the South, Bulletin #858 BLS, USDL

2) The Southern Labor Story - IUD, AFL-CIO

COMPLIMENTS OF LP printers lithographers designers

Longino & Porter, Inc., 196 Marietta St., NW, Atlanta, Ga. 30303 A/C 404 523-8011

Rony
Outline

A Note on the Present Status of the Work in Progress

Some 300 manuscript pages have been completed, 60 of which remain to be finally edited and copied for legibility. This takes the narrative through the economic changes wrought on the region by World War II. It also includes the published studies of the J. P. Stevens, Bogalusa and Lawrenceburg conflicts. Thus the final 100-odd pages of the book will comprise the post-war record of the region's industrial relations and the concluding remarks.

The contents will be organized as follows: The book will open with an account of the J. P. Stevens campaign, which summarizes much of what is wrong with both industry and labor in the South today. This will be followed by the historical evolution of the Southern syndrome, beginning with the present "Sorrow Song" through "The Rise of the South's Second Peculiar Institution--Sections I, II, III and IV--through the final segments still to be written. After this will come the Bogalusa and Lawrenceburg pieces, to illustrate where Southern workers, black and white, find themselves today. The next to last chapter will include a short review of other relevant industrial relations and labor-related political developments in the South today, and a short analysis of present regional economic trends, their significance for the work force, economically and sociologically. The book will conclude with a suggestion

A Note on the Present Status of the Work in Progress (Cont'd.)

of new and healthier directions for Southern labor in particular and the region in general.

Finally, it should be understood that the material presented here is not considered to be in its final, publishable form. Because the scope of this work is demanding in terms of both research and intellectual organization, the writer has thought it better to plow ahead and finish the entire task before reviewing the various chapters for inner balance and proper relation to the whole. Nor did it seem useful to invite criticism of various sections of the manuscript until the entire intellectual framework had been articulated. The time has come, thankfully, where such consultation and review, with attendant criticism, is in order. The writer will be grateful for advice and suggestions.

# # # #

DAVY CROCKETT IN LITTLE EGYPT

by

Vera Rony

* * *

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18 Avery Drive NE
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Rony

The Ordeal of the Southern Underclass

The work in progress is a study of the divergent and, in the writer's opinion, destructive pattern of Southern industrial relations-- a pattern which has exerted a baleful influence on the psychology of the white Southerner and on the region's social and political climate. Arising shortly after the Civil War, this regional syndrome has continued unabated, except for the short hiatus of World War II, until the present.

After the Civil War the ordinary Southerner, whether black or white, in the highlands or the low, was a free man. Poor certainly but, say the new historians, not really much poorer than he had been before. The calamitous disruption of the war had hurt the plantation aristocracy far more than it had hurt him. However, the region's poverty, its dependence on agriculture, and its absence of financial resources began to subvert this independence within a decade of Appomattox.

Everyone grew cotton because war-time shortages had so increased its value; in due course, therefore, the price of cotton plummeted. Slowly the white yeoman farmers and the Negroes who never did receive their forty acres and a mule fell victim to the sharecropping system which, in return for credit, supplied poverty and debt, followed by their faithful handmaidens, ignorance, self-doubt, and fear.

When, at the end of the century, the unfortunate farm workers breached the color bar to rebel together under the banner of Populism, the terrified Establishment first gunned

Rony

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Wall Street Journal
Wednesday
June 10, 1964
Page 16
EV Federalism

Statehouse Slide

* * * * * *

Powers of Governors Wane as Federal Programs Grow

BY HENRY GEMMILL

CLEVELAND—A few days of immersion in a governors' conference can give you the feeling that all state executives are affable, some are able, and none are influential.

Nowadays most governors are Democrats, but is there one of these who could stir excitement here? Apart from the skeleton in their closet, Dixiecrat Wallace, certainly not; for a flurry the Democrats had to await the inexplicable arrival of an express agent from Washington, Pierre Salinger, who so recently went out to California and clobbered Governor Brown's candidate for the Senate.

One newspaper headline said "Republican Governors Steal Spotlight at Conference." In a way, yes—but the light showed pie on their faces: Romney, Rocky and Scranton, each in command of a great industrial state, all alarmed about the junior Senator from little Arizona, and none of them able to do a thing to thwart his march toward the Presidential nomination. Sen. Goldwater ducked in and out of the conference without so much as acceding to the Republican governors' desire that he at least sit down and talk with them. And this is the Senator who stands for states' rights.

It used to be that governors were mighty men, and the White House was filled from the statehouse. When in 1960 the Democrats chose from a field almost exclusively composed of national officeholders—Sens. Kennedy, Johnson, Humphrey, Symington—some considered it just an odd coincidence. But the impotence of state executives is on display again in '64. The chairman of this conference is Gov. John Anderson of Kansas, and he runs the show well, but he failed even to win a seat at the GOP national convention.

As individuals, governors don't appear intrinsically less able or alluring than the people one encounters in Washington; in fact 21 members of the Senate used to be governors. Probably the newspapers and TV are partly to blame for the dwarfing of state politicians. The news folk look all the governors over once a year, but swarm about Washington year 'round. Particularly neglected are Westerners such as Oregon's attractive governor, Mark Hatfield, because the mechanics of news transmission is set up to flow from East to West.

State Activities Buried

But, of course, the chief fact is that state activities have long since gotten buried under Federal programs and spending. Though state budgets balloon, too, Texas Gov. John Connally remarks that more than $10 billion of what the states disburse in the next 12 months will merely be funneled through them—it comes as Federal aid. The governors applauded when Dwight Eisenhower came to town and advised them to resist and reverse all this; some had been making similar speeches at each other. Emotionally, many of them are all turning back the Federal tide, but there is little indication they hope to do it, and practically they want more from Washington rather than less.

Those who are not yet ready to join Gov. Brown in bidding farewell to the old idea of separation of state and Federal government, who would reassert the strength of governors and state legislatures, have difficulty in blueprinting how it can be done.

Assuredly the conference of governors cannot currently be considered a strong tool. Perhaps it never was. This body got started only at the suggestion of Teddy Roosevelt and not when he was a governor but after he had taken over the Federal leadership. But at least the governors used to get together in sort of a trade convention atmosphere, swapping shop secrets on how to run state governments. During the last several years all this has changed radically. Democratic National Chairman John Bailey came on the conference scene; GOP National Chairman Bill Miller joined him. Governors began holding party caucuses. The conference became an organ of political propaganda over issues not of state government but of national legislation—civil rights, medicare and the like.

"It's Politics All the Time"

"The governors used to pay some attention to their agenda at least every second year, when there was no election on, but now it's politics all the time," comments one veteran staff man.

Gen. Eisenhower, confessing that next to nothing came of all his efforts as President to turn back revenues, responsibilities and power to the states, appeared to give this conference some more suggestions—including the startling idea that the states might for the first time in history call a convention to amend the Federal Constitution.

History is no straight line, and it would be foolhardy for any observer of this 1964 gubernatorial outing to conclude that governors are doomed to be perpetually inconsequential or that there will be no resurgence of strength in state government. But it is probably safe to say that if the pendulum swings it will hardly be through the mechanics of Gov. Pat Brown's suggested council or General Ike's suggested convention.

For this, a more fundamental change must occur. Some suspect it may already be under way, under pressure from the Supreme Court. The theory runs thus: Federal action has expanded for lack of state action. The vacuum in state activity has been due to "rotten borough" legislatures, failing to reflect proportionately the growth of urban and suburban populations. Redistricting under the impetus of court decisions will remedy this. So state governments will take over their proper burdens and Federal instructions will dwindle.

That could be. Or maybe, in the words of Gov. Rockefeller when he heard that Gov. Romney was out to stop Goldwater, "it's not too little, but it's too late."

The host of this conference is a conservative Republican, Ohio Gov. James Rhodes. What does he view as the outstanding event of the sessions? "As far as I'm concerned," he said, "it was a breakfast at which Midwestern state executives agreed to gather their Congressional delegations and shove hard to get their region more Federal contracts for research and development from the space agency and other Washington spending outlets."

Barry Goldwater's spokesman at this conference is Arizona's Gov. Paul Fannin. At the opening session on Federal-state relations, what was the one proposal of this conservative Republican? He called for a new program of Federal aid, for highway maintenance. The governor declared he was proud of the highway building program which has mingled so much Federal money with state expenditures, but as the roads get built it would be unfair to expect states such as his to bear the burden of keeping them in good shape.

Connecticut's John Dempsey used this governors' forum to call for Federal construction of "activity centers" and other facilities for old folks; Montana's Tim Babcock thinks it's up to the Federal Government to bolster beef prices by choking off imports; Otto Kerner of Illinois focuses his defense of states' rights on opposition to "any reduction in Federal support for any element of the Army National Guard."

Some Welcome Federal Aid

Some of the governors, including Endicott Peabody of Massachusetts, have no regrets. They seem to feel the future of state executives lies in welcoming new Federal programs, such as the "war" against poverty, and in assisting in their execution. California's Gov. Brown carries to its logical conclusion this idea that state government should be integrated into national government.

A Council of Governors should be formally created, proposes Gov. Brown, and it should be just as much an official part of the Federal Government as is the President's Council of Economic Advisers. The President would select from among the 50 governors just five to sit on this council, with representation for both parties and various sections of the land. The council chairman would be a Federal official, "perhaps the Vice President." And the task of the council would be to have a "direct voice in policymaking at the Federal level."

The Wall Street Journal
Wednesday
June 17, 1964
Page 1
EV
Federalism

More States Employ Envoys in Washington To Get Federal Favors

* * *

New York Battles to Preserve Navy Yard; Massachusetts Wins Cash for Study of Gulls

By Eric Wentworth
Staff Reporter of The Wall Street Journal

WASHINGTON—Hungry for Federal favors, a growing number of state governments are deploying their own representatives in the nation's capital to quietly sniff out opportunities.

These versatile leg-men range the Federal establishment on countless errands for state officials, business groups and Congressional delegations. Most help their states land defense contracts and Federal aid of many kinds. They angle to win new Government installations for home territory and work against closing or curtailment of existing ones.

California, West Virginia, Pennsylvania and Ohio have all established permanent offices here since early 1961, joining New York State, which has been represented ever since 1942. Massachusetts, which kept one man here for many years, has this year taken on a "public-governmental relations consulting firm" to do its Washington chores. Other states show interest. "I do think it's a wonderful idea," comments New Jersey's Gov. Hughes, "but at this point the state can't afford it."

"Basically we're for procurement," says Pennsylvania's James Van Zandt, whose office has stacks of pamphlets on how to do business with Uncle Sam and large charts showing how the Keystone State compares with others in receipt of Federal dollars. Mr. Van Zandt was appointed by Gov. Scranton after he'd served 11 terms in Congress, reaching high rungs on the House Armed Services and Joint Atomic Energy Committees. While some Pennsylvania Democrats questioned how much a Republican emissary could do during a Democratic Administration, the ex-Congressman insists his "entrees" pay off.

Bringing the Guard Home

One Van Zandt project involved arranging talks between Pennsylvania Congressmen and Army officials that produced a Pentagon commitment to let most of the 28th Division, a Pennsylvania National Guard unit, return to Indiantown Gap military reservation for summer training if the state would increase the reservation's acreage; the outfit had been training outside Pennsylvania. Mr. Van Zandt contends this move will pump $5 million to $6 million each summer into the local economy through increased employment and purchasing.

Daniel Ruge, who heads New York's staff of seven, has helped the state's Congressional steering committee in battling to keep the Brooklyn Naval Shipyard and the Brooklyn Army Terminal in business; both face possible shutdown. The steering committee, of which Mr. Ruge serves as secretary, is striving to impress Defense Secretary McNamara with the shipyard's potential for building nuclear vessels. Mr. Ruge also works to clear bureaucratic bottlenecks, as when he sent a telegram from the steering committee to shake loose a Federal allocation for tree disease eradication which the state's conservation department was awaiting; fifty state conservation workers were about to be laid off. "There was a quick response," he reports.

M. J. MacDonald Associates, Inc., which represents Massachusetts on a $3,000-a-month contract, has helped set up Washington meetings and draft statements for Bay Staters challenging Pentagon plans to shut down most of the Army's Watertown Arsenal. The firm also has lined up meetings with New England lawmakers and with space officials for the Haverhill Industrial Council, which is promoting that community as the site for a space electronics center. Results of these efforts remain to be seen.

Bird Study Pushed

Bernard Moss, the concern's vice president and a former Senate aide, reports he has been "bugging" the Federal Aviation Agency to provide more money for studies of how to keep birds from causing airplane crashes; these efforts began after a Boston airport crackup. The Government has contracted with the Massachusetts Audubon Society, among others, for research on the "population dynamics" of herring gulls; it has cost about $65,000 so far. The society told Massachusetts Gov. Peabody it needed new funds; at Mr. Moss' suggestion, the governor wrote FAA chief Najeeb E. Halaby, and Mr. Moss has been pointedly showing copies of this letter to FAA staffers.

West Virginia's Paul Crabtree, former aide to a Democratic Congressman, mails more than 100 Government procurement notices each month to businesses back home. In addition, he badgers Pentagon officials to boost the number of contracts set aside for small businesses and for any companies in labor surplus areas, which include most of West Virginia's 55 counties. Companies qualifying for a "set-aside" are allowed to share the contract with the original low bidder, usually on a 50-50 basis, if they can match his price.

Mr. Crabtree contends his efforts have contributed to the growth in West Virginia's

Please Turn to Page 18, Column 2

(2)

The Wall Street Journal
Wednesday
June 17, 1964
Page 1

EV

Federalism

More States Employ Envoys in Washington To Get Federal Favors

Continued From First Page

prime defense contracts from $34 million four years ago to $162 million in the fiscal year ended in mid-1963. The increase in state tax revenues, he contends, has more than paid for maintaining the Washington office.

The state envoys are stationed in Washington primarily because of the ever-greater flow of Federal dollars to public and private enterprise across the nation. Aside from the U.S. Government's spending on its own projects, from dams to missile bases, total Federal aid to state and local governments has more than tripled in the past decade and today exceeds an annual $10 billion. On the business side, defense procurement contracts alone channel some $30 billion a year into private hands. State officials realize the stiff competition to win these prizes can require special efforts.

Every state, of course, has sent delegations on special Washington missions at one time or another, to testify on legislation or plead some cause with agencies. In addition, chambers of commerce, industrial councils, trade associations and other private emissaries here promote all sorts of local and state interests. Dale Miller, a friend of President Johnson, represents that Dallas Chamber of Commerce but speaks for the city's government as well on some occasions. At least two other cities, Philadelphia and San Francisco, have their own men here.

Despite this pork-minded chorus, the idea of a state's spending as much as $80,000 or more yearly for a permanent Washington office has wide support in Government circles. Many hard-pressed Senators and Congressmen welcome the presence of someone with valuable contacts and a pair of good legs, at least when they themselves get adequate credit for the results.

Says one Capitol Hill veteran: "They're the ones who keep in touch, who can do a lot of groundwork and a lot of moving around, and then we move in."

The state envoys prefer to work behind the scenes, and, though part of their time is spent on Capitol Hill, they usually dislike being called lobbyists.

The various state envoys have staffs ranging from a single secretary up to an economist, two business consultants and three secretaries. They feed the statehouse a steady diet of useful Government reports and publications, plus intelligence on executive policy and legislative maneuver, and track down answers to myriad queries from home. They also keep Washington administrators and lawmakers aware of their governors' views on how various decisions would affect their states, and hack away at bureaucratic red tape.

When a Pennsylvania company is among bidders for a Government contract, Mr. Van Zandt makes sure Federal officials get the word: "I don't know about capability and price, but I can tell them the governor's interested." He also passes along tips on contract possibilities, arranges appointments for businessmen at Government agencies, coaches them on how to submit bids or negotiate and helps them resolve disputes over contract terms.

California's Irv Sprague, who formerly worked for a Democratic Congressman, regards himself as primarily "a channel of information and a troubleshooter." He's in touch with the White House, the Budget Bureau, other agencies and Capitol Hill on policy decisions and legislation in fields such as water resources and education where California has a heavy stake.

California already has a generous share of defense and space work, and Gov. Brown is said to have told Secretary McNamara that if the Administration didn't play politics on defense spending, California wouldn't either; the state's Congressional delegation has raised no great cry for more contracts. The governor did have one request, however—and not long afterward the Navy dropped its opposition to bridges the state wanted to build across San Francisco and San Diego Bays.

Such pursuit of mutual advantage is a professed goal of the state representatives in Washington. "Everything's reciprocal," contends one envoy, and when Federal and state governments cooperate, "everybody wins."

States & Surpluses

* * * * * *

Why Federal 'No Strings' Distributions Would Be Unwise

By HARLEY L. LUTZ

Wall Street Journal
Monday
December 28, 1964
Page 8
EV
Detroit

It has recently been proposed that the Federal Government should distribute its surplus revenue among the states. Those whose knowledge of the Federal finances is limited to the facts of the record might well ask "What surplus?" From fiscal year 1930 through fiscal 1965 there have been only seven years with budget surpluses. The aggregate of these surpluses is $27.6 billion. The deficit total for the same period, excluding the war years, is $80.7 billion. Offhand, the proposal is reminiscent of the old recipe for rabbit stew, which is "First, catch a rabbit."

The plan is a product of the optimism generated by the anticipated effects of the combination of tax cut and budget deficit. The Government planners believed that the thrust of this combination would send the economy into orbit and that the rate of economic expansion would shortly be high enough to produce revenues in excess of spending. It was said that a budget surplus would be a tax drag on the economy and the way to avoid the drag would be to cancel out the surplus as it appeared by distributing it to the states. In this way the funds would be kept in the mainstream of spending.

On its face, the proposal would appear to be so preposterous as not to warrant consideration. It has had, however, a certain amount of official recognition and sponsorship, and the following discussion deals with various aspects of the case.

THE PROSPECT OF A SURPLUS. The assumption that a budget surplus is just around the corner ignores the "propensity to spend," an occupational disease that afflicts many members of Congress and of the Executive branch. The President recently reported that the departments and agencies had requested $108 billion of new authority to spend for the budget year 1966. How deeply the Budget Bureau and the appropriations committees will cut these requests remains to be seen. In the same statement the President expressed concern that it might not be possible to hold the budget within the "magic figure" of $100 billion in view of these pressures.

The Defense Department's program for phasing out unneeded installations and facilities has already run into trouble. The application of savings at one point to other "essential needs" has long characterized budget management and there is no indication that this policy has been abandoned. No one in the Government is willing to predict even a balanced budget before 1967 or 1968 and these are by no means firm dates. No date thereafter has been set by anyone for the realization of a surplus large enough to warrant distribution. All talk now about what to do with a budget surplus is a purely academic exercise.

It is worth while, however, to examine the relative worth of this method of disposing of a surplus and the theory of government that would appear to underlie the proposal.

FEDERAL-STATE FISCAL RELATIONS. Federal donations to the states, commonly known as grants in aid, have been made over a long period for an ever-expanding array of purposes. In recent years the states have been bypassed by making grants directly to cities and other local units. The original idea of a grant was that it would motivate and activate the states accepting such offers to embark on programs deemed, by some central planning agency, to be in the national interest. Once launched under the Federal stimulus, it was believed that the states would continue to operate and pay for the programs of their own accord.

This notion was soon dispelled. Using a parallel from our tariff experience, the "infant" programs, like the "infant" industries, never became sufficiently mature to carry on without the Government crutch. In the case of the grants, the Federal Government has been no more willing than the states to terminate them. The Federal grants have become a useful and efficient instrument with which to extend Federal jurisdiction into areas of state and local function and responsibility.

The grants are not a distribution or sharing of surplus revenues. Rather, the grant total has steadily increased, especially since World War II, despite the budget deficits. Indeed, there has never been any thought, as the grant total has risen year after year, of relating either the amount or the purposes of the grants to the budgetary situation. It would be futile to contend that the grants were the cause of the deficit for the same could be said, with no greater validity, of any other expenditure purpose involving a substantial amount.

No Strings Attached

The proposal under discussion differs, in one respect, from the existing grant system. It would be a distribution to the several states with no strings attached. The present grants are made for specific purposes and at least enough Federal inspection and control are exercised to assure state or local compliance. In a large proportion of the present grant programs, some participation in the cost is required from the recipient governmental unit.

(2)

Wall Street Journal
Monday
December 28, 1964
Page 8
Federation

The proposed distribution would be a "block" grant—that is, one with no restrictions on its use. Introduction of a block grant or "no strings" system need not be deferred until there is a budget surplus. It can be substituted for the present system at any time by act of Congress. In support of an unrestricted grant, to be spent at the discretion of the grantee, is the argument that state and local administrators know, better than any Federal official or Congress, what the local needs are and can therefore make better use of the funds if left to their own judgment.

Against the unrestricted grant it is argued (1) that there is a Federal obligation to set rules and conditions for the use of the funds, (2) that the states or localities should not be released from the obligation to provide some part of the cost, and (3) that unconditional grants might be used for purposes that have not been approved by Congress or the courts as a proper application of Federal funds. A case in point is the issue of Federal aid to parochial schools.

These arguments point up the basic weakness of any Federal grant system. The state and local officials do know best what their local problems and needs are. The conditional grants at times force them to divert their own funds into programs which, in their judgment, have a lower priority than others. They are not really forced, but they accept the Federal decision in order to get what is generally regarded as "free" money. This supposedly free money is more likely to be used extravagantly or wastefully than would be the case if the people were more directly aware of the tax cost.

A distribution of "no strings" money would lack even such inducement to prudence as may be provided by the matching requirements of the present system. It is natural that the higher the Federal proportion, the brighter is the aura of free money. Federal public assistance grants are heavily weighted in favor of the low income states and in some of these are correspondingly slack standards of eligibility. The Government provides 90% of interstate highway funds, which may explain the scandals that have broken out in this area. The proposed distribution of surplus revenues, like any other block grant, would be 100% free money.

A Difference in Priorities

Despite the strong entrenchment of the Federal grant system, it would be better in the long run to aim at terminating instead of extending it as the proposal considered here would do, and to reduce the Federal tax load correspondingly. In this way leeway would be provided for the several states to apply their own fiscal resources to local needs without central supervision or dictation. They would not all do the same things. Priorities would differ in different regions, and so would the financing and administrative procedures.

The disposition of surplus revenue in 1836 is not a valid precedent for the present proposal. The public debt had been fully paid off in 1835. The revenue surplus in 1836 was produced by a large increase of customs receipts and a sharp rise in public land sales. There were then the two major sources of Federal revenue. Protectionist sentiment prevented reduction of tariff rates and the Western states opposed restriction of land sales. The money was not legally donated to the states but deposited with them on condition of repayment at the Treasury's call. Meantime, they were privileged to use the funds as they saw fit. None of it was repaid and most of it could not have been for it was lost in unwise loans and state ventures, or applied to current expenses. Maine distributed part of her share on a per capita basis.

Daniel Webster supported the distribution as the only solution of a critical situation, but he said: "There would be insuperable objections to a settled practice of distributing revenue among the states. I cannot reconcile myself to the spectacle of the states receiving their revenue, their means of supporting their own governments, from the Treasury of the United States."

Webster's concern about the effect on our system of government was prophetic. The policy of distributing Federal funds to the states, whether out of surplus or deficit, has profoundly affected our governmental system by upsetting the balance of power and responsibility intended by the Constitution. As the Federal grants expand the states become more dependent on the central Government. To complete the vicious circle, Federal tax collections must be kept at a higher level in order to pay the grants. With increasing state dependence goes greater state vulnerability to Federal coercion. The threat to withhold funds is usually sufficient to assure complete compliance with the Federal will.

OTHER WAYS OF DEALING WITH THE BUDGET SURPLUS. Other courses of action than distribution are obviously available in the remote and somewhat improbable event of a sizable budget surplus. A respectable body of opinion can be mustered in support of paying something on the public debt. This was a fashionable financial policy in the "dear dead days beyond recall." In addition to being entirely out of debt in 1835, the Civil War debt had been redeemed by the 1880s except for small issues maturing in the 20th Century. In fact, there was a flare-up of agitation over the surplus question around 1883.

Between 1920 and 1930 some $10 billion, or roughly two-fifths, of World War I debt was retired. A cynic might say that the saving and sacrifice of debt reduction was in vain because national debts everywhere are higher than ever despite the heroic efforts in the past to reduce them. But the debt payments strengthened national credit so that when other emergencies came their financing was less of a strain on credit resources and on the monetary unit than it otherwise would have been.

Beyond question, debt reduction is an outstanding candidate for the use of any budget surplus that might be realized. Our Federal debt is now so large that, with the best of intention and the best of luck, only a small dent can be made in it by any generation of taxpayers. The most valuable contribution of a policy of debt payment would be a reaffirmation before the world of our respect for the debt obligation, and evidence of our pledge that the bondholder shall not be cheated of his investment in his country's future by inflation and its aftermath of devaluation.

Tax reduction is a solution of the surplus problem that would also have substantial support. The fact of a surplus would be evidence of the suspension of Parkinson's law to the effect that expenditure rises to meet income, in itself a feat of heroic dimensions. With the present incomprehensible tax code, tax reduction could be a slow, dismal process, but under a simpler tax structure rate changes that would adjust revenues to expenses could be made quickly.

There would be occasions when the condition of the economy would give priority to debt reduction and others when tax reduction would have first call. Both steps have merit under the appropriate conditions. Either one would reflect confidence that the private economy can support both the people and the Government. Either one would be a decisive move against the further centralization of power in the Federal Government, and would be, by so much, a correction of the distortion of the Constitution which the plan of distributing surplus revenues to the states would perpetuate.

Dr. Lutz is professor emeritus of public finance at Princeton University.

Les Dunbar - Fdd Fdn 1966

File / Les Dunbar

THE FIELD FOUNDATION
250 PARK AVENUE
NEW YORK 17

December 30, 1966

Mr. Emory Via
Southern Regional Council
5 Forsyth Street, N. W.
Atlanta, Georgia

Dear ~~Mr. Via:~~ Emory

Some time ago, the Field Foundation convened Rashi Fein of Brookings, Eli Ginzberg of Columbia, Paul Sheatsley of National Opinion Research Center, and Sidney Spivack of Princeton to discuss the usefulness and feasibility of a discrimination index. Subsequently Mr. Ginzberg directed a short evaluation of available data, and a memorandum from him is attached. Also available on request is a memorandum from Mr. Sheatsley on the use of field surveys.

We are continuing to examine this question of an index. In the meantime, we are sending the Ginzberg memo to you and a few other students and would be most grateful for your comments. You might specially note his Recommendation 3 on page 17.

Sincerely yours,

Leslie

Leslie W. Dunbar
Executive Director

Enc.

File — Les Dunbar

Working Paper

The Development of an Index

on

The Changing Position of the Negro in the United States

by

Eli Ginzberg and Roberta Handwerger
Conservation of Human Resources
Columbia University

Why — A measure for focusing public attention

Argument for index again
Sure we need better data — but index?
Succumb to data manipulators —
Why separate search
Cost of living — what do they learn
We put ed. — inflation to fear
Disc. index: people getting too close —

So.

Washington POST - 2/24/67 D.C.-1

Household Workers To Receive Training

AN EXPERIMENTAL training program to improve the image and pay of household workers in Washington was announced yesterday by the U.S. Labor Department.

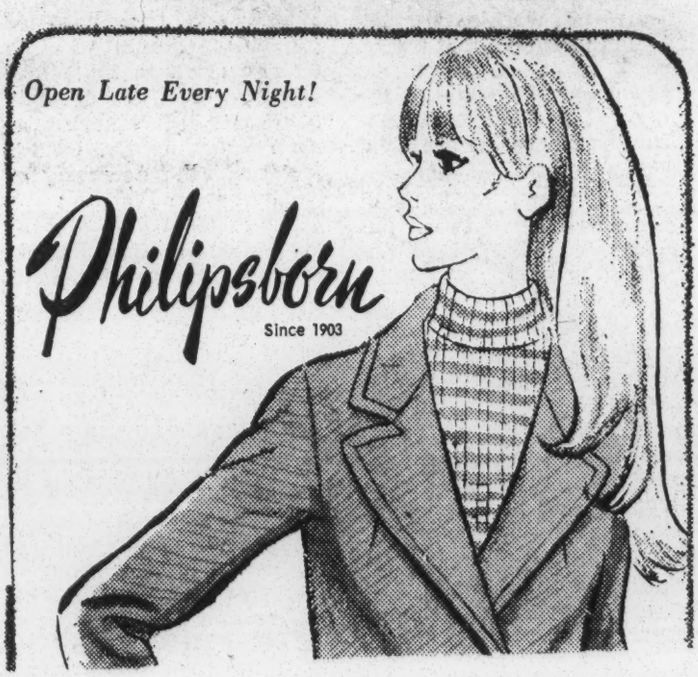
About 96 unemployed or underemployed women here will be selected for the six-week training program, which combines classroom instruction with practice in private homes. The women will receive $40 a week during training, plus transportation costs to homes for practice sessions.

Selection of trainees, who will include some welfare recipients, will be made in cooperation with the U. S. Employment Service, churches, vocational schools and community agencies.

Will-Mart Services Inc., a nonprofit organization, will conduct the training program under a Manpower Training and Development Act grant. The agency will hire the women after training for placement in private homes.

Labor Secretary Willard Wirtz said household work was the third largest occupation group for women but the poorest paid, with full-time workers averaging only $1082 during 1960.

Wirtz also reported grants of $52,135 to train 80 nurses aides and orderlies at Prince George's General Hospital and $39,158 to train 40 automobile body repairmen at Northwood High School in Wheaton.



CARL T. ROWAN

Wash Eve Star 2/24/67

Miasma of Political Distrust Grows

A few days ago a brief, cryptic report out of Prague, Czechoslovakia, was passed among a handful of top officials in Washington.

It said that an editor of Ramparts magazine had come to Prague and held "a long, secret session" with officers of the Communist-controlled International Union of Students.

Ramparts is the magazine that exposed the fact that the Central Intelligence Agency has been financing the National Students Association, which in turn has worked for several years to prevent the IUS from dominating the youth of the world.

The Prague report aroused deep suspicions here among officials who are privately shocked and dismayed at the damage to the CIA and to U.S. foreign policy interests caused by the endless series of busted intelligence "covers" that has resulted from the Ramparts' expose.

"What, if any, relationship does Ramparts have to the IUS?" "What is the full story of Ramparts' financial backing?" Those are the questions being asked in tight, high-level circles here.

I learned that the Prague visitor was supposed to be Robert Scheer, Ramparts' managing editor. I telephoned him in San Francisco and asked if he had met with IUS officers in Prague a couple of weeks ago.

"Yes," he said. "How did you know?"

I failed to reply, and he went on to volunteer that he had spent two days meeting with representatives of the National Liberation Front, political arm of the Communist Viet Cong in South Vietnam, and with IUS leaders.

Scheer hedged for a while when asked who controls the IUS, but finally said, "It is essentially an organ of the foreign policy of the Soviet Union."

"Look," Scheer continued, "I went to the IUS headquarters strictly for journalistic reasons. I was in Europe doing a piece for Ramparts on Bertrand Russell (the 94-year-old British philosopher who plans a Vietnam 'war crimes trial' of President Johnson), so I just went to Prague to check the international implications of our article on the NSA.

"We don't truck with communism at Ramparts," Scheer went on voluntarily. "We compare the U.S. position in Vietnam with the actions of the Soviet Union in Hungary. Both are intolerable, and we make no bones about it.

"Any attempt to smear us at Ramparts is libelous, and we'll sue. I warned the same thing when there were mutterings about me being a Communist when I ran for Congress."

I report this not to throw a smoke screen over the revelations about the CIA. Ramparts' politics, foreign contacts, financial support or motives do not alter the rightness or wrongness of CIA's involvement in scores of American organizations.

I report it because Scheer's mission to Prague illustrates the hideous degree of guilt by association that permeates the furor over the CIA and the various foundations and organizations that have been labeled "CIA links."

No matter how fragile those "links" may have been, many Americans are disposed to think of the groups as "tainted." They are presumed to have bartered away their integrity for lucre from what, strangely, has come to be regarded as a "dirty" organization, "untouchable" by normal Americans.

And, likewise, some people are prepared to believe the worst about Scheer's activities in Prague.

The miasma of political distrust grows more poisonous in our land every day.

Well, I'm not prepared to assume that the people who run "Crossroads Africa" lost their integrity, or that the American Newspaper Guild "compromised the integrity of journalists" because they got money from foundations with CIA ties.

And until proof of something else is presented, I have to assume that Scheer went to Prague on a journalistic mission.

But Scheer and Ramparts have intensified America's mood of suspicion. Everybody is being asked to "come clean" these days and tell where he gets his money. Before the suspicion fades, Ramparts may find it desirable to reveal in detail who has provided the estimated million and a half dollars the magazine will have lost by the end of this year. And Scheer may have more to say about his mission to Prague.

That might lay to rest the rumors that Ramparts is not only a muckraker, but a muckraker with a malevolent motive.

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Rotary Club Sets Interracial Unit

NEW YORK, (AP) — Rotary International last night bestowed a charter on its newest unit —an interracial Rotary Club in Harlem.

Howard A. Cook, president of New York's International House and also of the new club, said "the interracial unit will concentrate on bringing together for service through acquaintance the business and professional leaders of that section of the city."

Formation of the new club was encouraged by David Rockefeller, chairman of the board of the Chase Manhattan Bank, and Roy Wilkins, NAACP director.

Shea to Deliver Goddard Lecture

Dr. Joseph F. Shea, a key man in the Apollo moon program, will deliver the second annual Robert H. Goddard lecture here next month.

Shea, apollo spacecraft program manager at the space agency's Houston (Tex.) center, will speak on "The Crucible of Development." The lecture will be delivered March 14 at the Sheraton Park Hotel.

The Goddard lecture, named in honor of the "father of American rocketry," was instituted last year by the National Space Club, a Washington-based organization of space enthusiasts.

2-25-67

By Vic Casamento, Staff Photographer

TARDY GROUNDHOG—You'd be embarrassed too, if you were almost a month late. Actually, this groundhog was walking around near the Fairfax County Courthouse sometime Thursday night, when he fell into a window well. He was fished out by a County employe. He looks frightened as does Jack Fink, another County employe.

Wash Post - 2/28/67

Court Blocks Report on Survey Of Airline Job Discrimination

Res. Check for EEOC Coverage

By Claude Kropowski
Washington Post Staff Writer

District Court Judge Leonard P. Walsh has issued a preliminary injunction preventing the Equal Employment Opportunities Commission from releasing its findings about sex discrimination practices in the airlines industry.

The injunction may stop a series of lawsuits from being filed by stewardesses who claim that the traditional airline practice of age and marital restrictions on their profession is an example of sex discrimination in employment.

The case was brought to court by ten major airlines who had asked the Employment Commission for a final ruling on whether "sex is a valid occupation qualification for the position of flight attendant." The airlines made the request following a favorable but conditional commission finding two years ago.

At that time the Commission ruled that if sex was a qualification for employment, the airlines could impose age and marital restrictions on stewardesses.

Because membership of the five-man commission has changed considerably since 1965, the airlines were thought to fear that a final ruling would reverse the Commission's previous stand.

The Commission held new hearings last year and was about to vote on the issue Nov. 10, when a spokesman for the Air Transport Association charged senior commissioner Aileen C. Hernandez with prejudice.

ATA attorney Jesse Frieden said Mrs. Hernandez was to vote on the issue one day before taking office as executive vice president of the National Organization of Women. As that organization had already charged the airlines with employment discrimination practices, Mrs. Hernandez could not help but be prejudiced, he said.

When Mrs. Hernandez refused to disqualify herself from voting on the issue, Frieden obtained a temporary restraining order enjoining the Commission from releasing its findings. Walsh's decision Tuesday was a more permanent order.

In a deposition submitted to Walsh, Mrs. Hernandez said she did not disqualify herself from voting on the issue because she had reached her decision six months earlier.

Walsh, however, upheld the airlines. "The law is clear that where a present interest in maintaining an earlier position inhibits the free exercise of the decider's mind . . . disqualification is an appropriate remedy," he said. "The very appearance of complete fairness on the part of Mrs. Hernandez was not present as required by law."

Walsh said the Commission may rehear the issue or refuse to issue the interpretative ruling asked by the airlines.

BEST COPY AVAILABLE

Threat of Labor Split Laid to CIA Cash

By Drew Pearson and Jack Anderson

Inside reason why the giant AFL-CIO labor combine is on the verge of breaking up is because of Central Intelligence money secretly pumped into its "International Affairs Department."

President George Meany has denied that the AFL-CIO receives CIA money; but it does. Furthermore, part of the money is used to follow foreign policy exactly opposite to that of President Johnson.

Backstage story of the CIA battle inside the labor federation goes back to May 22, when Victor Reuther, brother of the president of the United Automobile Workers and head of the Auto Workers' International Affairs Department, charged that Central Intelligence money was "involved" in the AFL-CIO.

Victor stated that AFL foreign affairs activities "are a vest-pocket operation run by J. Lovestone . . . who seems to have brought into the labor movement the working habits and undercover techniques which he learned when he was in the highest echelons of the Communist Party. I guess it's awfully hard to break those habits."

AFL supporters of Lovestone immediately saw red, especially Joe Beirne, head of the Communications Workers. Beirne wrote a letter to Meany demanding that Victor Reuther be disciplined. Meany referred the matter to the next AFL-CIO Executive Council, and Walter Reuther, brother of Victor, countered by asking for a review of all the Meany-Lovestone foreign policies during recent years, which included opposition to cultural exchanges with East European Communist countries and opposition to trade with Russia.

Reuther Is Slapped

At this point it looked as if there might be a bitter cat-and-dog fight between powerful labor executives just on the eve of a congressional election in which united labor support was needed for the re-election of liberal Congressmen.

So Walter Reuther—reportedly at the suggestion of the White House — approached Meany with a proposition that the review of AFL-CIO foreign policy be postponed until after the November election. Meany agreed. He told Reuther to propose such a resolution at the upcoming Executive Council meeting. "I will second it," he said.

But at the meeting, held Aug. 22, Jay Lovestone proposed a surprise resolution which endorsed Meany's entire foreign policy for the postwar years.

The vote on the Lovestone resolution was 21 to 2, with only Walter Reuther and Joe Curran, president of the Maritime Union, opposing it.

Meanwhile, Joe Beirne had submitted a report to the Executive Council attempting to slap down Victor Reuther's criticism of CIA funds.

Beirne particularly defended the American Institute for Free Labor Development (AIFLD), which has spent tens of millions of dollars in Latin America, most of it from the CIA since it receives only about $200,000 annually from the AFL-CIO and about $280,000 from business executives such as Peter Grace of the Grace steamship lines.

Meany Gets Slapped

Earlier, Meany had tried to withdraw American support from the International Labor Office because the ILO, with headquarters in Geneva, had elected a Polish president—a Communist.

The International Labor Office is the oldest international organization, having been started by the League of Nations 20 years before the founding of the United Nations. For many years Communist nations boycotted it, but they affiliated in 1945 when the U.N. was created. It has been the opinion of David Morse, head of the U.S. delegation to the ILO, and of Jim Carey, former head of the United Electrical Workers, that the Communist labor unions were becoming more independent of their governments and leaning more toward the type of trade unionism existing in the West.

However, Meany called a meeting April 8, 1965, after the ILO had elected a Polish Communist as president, and recommended that the United States not send a delegation to the ILO that year. Carey vigorously disagreed.

In a showdown vote Carey won; one of the few times Meany has been overruled.

One of the gripes which the Reuther brothers have against the Meany-Lovestone-CIA foreign policy is that they swing their weight behind dictatorships in Latin America and use CIA funds to do so.

In the Dominican Republic, Meany was dead opposed to President Juan Bosch, and it was AFL-CIO confederates, backed by CIA money either directly or indirectly, who helped to oust Bosch.

Later, during the 1966 election, Meany and Lovestone again swung their influence, backed by CIA money, to defeat Bosch.

In Brazil, AFL-CIO agents, backed by CIA money, helped overthrow President Joao Goulart in 1964.

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Drew Pearson will predict what the House will do on congressional ethics as a result of the Powell case at 6:40 p.m. today over Radio WTOP.

D.T. Trips -

John Hope II

Office of Ed.

re Tiny Seminar DISCUSS

News Notes

Negro Schools Tend not to get if initiative left to School — knowledge — contacts, staff & resources all enter in —

Now white Schools interested in longer range than 2-3 years to assist in overcoming staffing problems, but does this cut out Negro Schools —

N. academics didn't seem to know SRC, or able to differentiate it —

The craft of Proposal writing — putting ideas in double talk to get past the "gatekeepers" — Mrs. McCullum very honest & frank — Said grads of N. inst. may (not well) have the language grasp —

N. Schools as teaching inst. — So no time for research —

Also for So. Wh. Schools — have shown staff competence — mainly show principal investigator

Rosen suggests
Fund — give money to hire an staff
to release time for research —

Jt. Com. Texas So. & Houston Board School
Talking — faculty exchange —

Pioneer Woodrow Wilson grants for Negro
Profs to travel in South — may refuse
because lack of research —
want to come back with Res. in hand.

3:14

Patarac

332-5566

Eleanor Ambrose

Sylvia McClure — U S Ed

Lectureship

Rosen — Dept of Labor

Marbles Book – Trinity –

Howard Rosen – Res. Div Manpower – Research – Lab.
Admin

Div. Office Manpower Fund. & Research –

Mission oriented Research – To be completely Sanity
↳ Responsibility to Title I, Manpower Act (1962)

K$ to profit & non profit –
$10 to $007

Grants [Limited funds now]

1) Manpower Res. Inst'l Grants –
Sem $ for 3 yrs – already lost – no recall
7 inst. { Va State, N.H., Okla St
Texas State, N.C. State
Tenn

Are allowances time restricted to recall

2) Funds for doctoral candidates in the manpower field –
up to $10,000 – { Neil Chandelaw
Hyland Lewis
Rashi Fein

1. April 1st
2. Oct 1st
3. July 1st
4. Jan 1st

To write the dissertation

3) Post doctoral – innovative research –

Legislative Branch
Va State

All Dr. Ed. Bishop
"Foundation"

Sent out

O.E. — Barefoot
Small Projects
10T or less

Funded out Regional
level —

~~Rhoad~~
Thier
~~Called Tom~~ Mon —

Develop Curriculum in
Office ed. to bridge
gap between H.S.
& College —

Now required one 3 hour
session on teaching the
disadvantaged

Summer Training Inst. (Voc. Ed. Bldg)
esp Teachers —
few at Negro Schools —
Tuskegee perhaps also

Perhaps 12 Negro
participants in all —

Priorities mailing list —
gives deadlines & type of project —
Money will be available
Curriculum development (revision)
How to teach all youngsters Something
the "Organic Curriculum"

Hesler
Tech-
Job —
Call
McCoban
for
name

Send one page Statement of idea
not just unsolicited proposal —
go through program monitor before
development of extensive proposal —
Some things have been done —

N.C. Fund

410 W. Geer
682-5785

N.C. Fund
Mayseur
604 W. Chapel Hill

Jim McDonald

682-3332
302 Alton

Esser contact
of Fauntain
daugh & OEO
daugh —
{Sandford
{Wheeler ESSER

Likely feel you owe them
something for having their
names —

Charles
Barrett

BAT —
Mayor
Develop-
(OVT)

Lyndwood (Whitl)
Whitlaw —
to Second Smith —
Smith is
Coord for
Demand nation
letters —

Civil Service
Walter Lewis
Crickets
FBI rec
Ant Lewin

Nelson Dale
Carl
III

FEOC
Ask Walter
Lewis
John Fields
Eileen Kennedy

DSA
expanding —
not as well staffed
dept of labor analysis
important
textile —
But also petro
& Arizona

HCF -

Civil Service & Discrimination
John Hope II

Evaluate EEOC — Sherman Jackson

Relation to Justice —

Title VII Conference

South?

SRC Statement

Potomac Pamphlet on Business & Title VII

Information Officer
Robert Richmond
RICHMOND

Manual of Govt. for Wage Hour

5:30
Miss Burns

AFL-CIO (?)

Kontmeier (?) 224-3121
393-2420
Const. & 14th

Wage-Hour Recession &
Materials

Potomac — 332-5566
Eq. Ed 546-0211
963-5712
Hope — ~~962-5285~~
J. Feild — 298-7535

Clarence T. Landquist, Administrator

Hope — WO 3 1110
Rogers — Disad. Unemp.
BSU, Jr.
FBR
Sylvester re Textile M

Harlin
Siccloff

JAMES M. DABBS, PRESIDENT
MARION A. WRIGHT, VICE-PRESIDENT
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JOSEPHINE WILKINS, VICE-PRESIDENT
RUFUS E. CLEMENT, VICE-PRESIDENT AND CHAIRMAN, EXECUTIVE COMMITTEE
JOSEPH HAAS, COUNSEL
HAROLD C. FLEMING, EXECUTIVE DIRECTOR

Southern Regional Council, Inc.

ROOM 201, 5 FORSYTH STREET, N. W. ATLANTA 3, GEORGIA
JAckson 2-8764

A Council to attain, through research and action, the ideals and practices of equal opportunity for all peoples in the South.

OFFICE OF THE PRESIDENT
RIP RAPS PLANTATION
MAYESVILLE, SOUTH CAROLINA

13.25
14
5300
1325
185.50

2
4
6
14

1000 | 185.50 (.18)
1000
85 50

1000 | 12.00 (.01)

Cover — .12
Offset — .18
Pamphlet — .15 (?)
Label — .0115
46 5

Miss Schwarz —
12-13 —
Have long phone
Consultation contacts

Title VII Conference —

2-day — 1 general, 1 workshop on topics

Papers(?) [Semi-formal presentation] — Hold to 25

Possible Invitees

M. Sovern (Law)
C. Rachlin (Law)
Jean Fairfax [C.R]
Dan Pollitt (Law)
Jim Gaudy dahl (Law)
Don Slaiman [Labor]
Walt Davis [Labor]
Al Kelner [Labor]
Norm Hill [Labor]
Eli Ginzberg [Econ]
Roy Marshall [Econ]
Paul Nargren [Econ]
John Feild

Via
Roy
Anderson

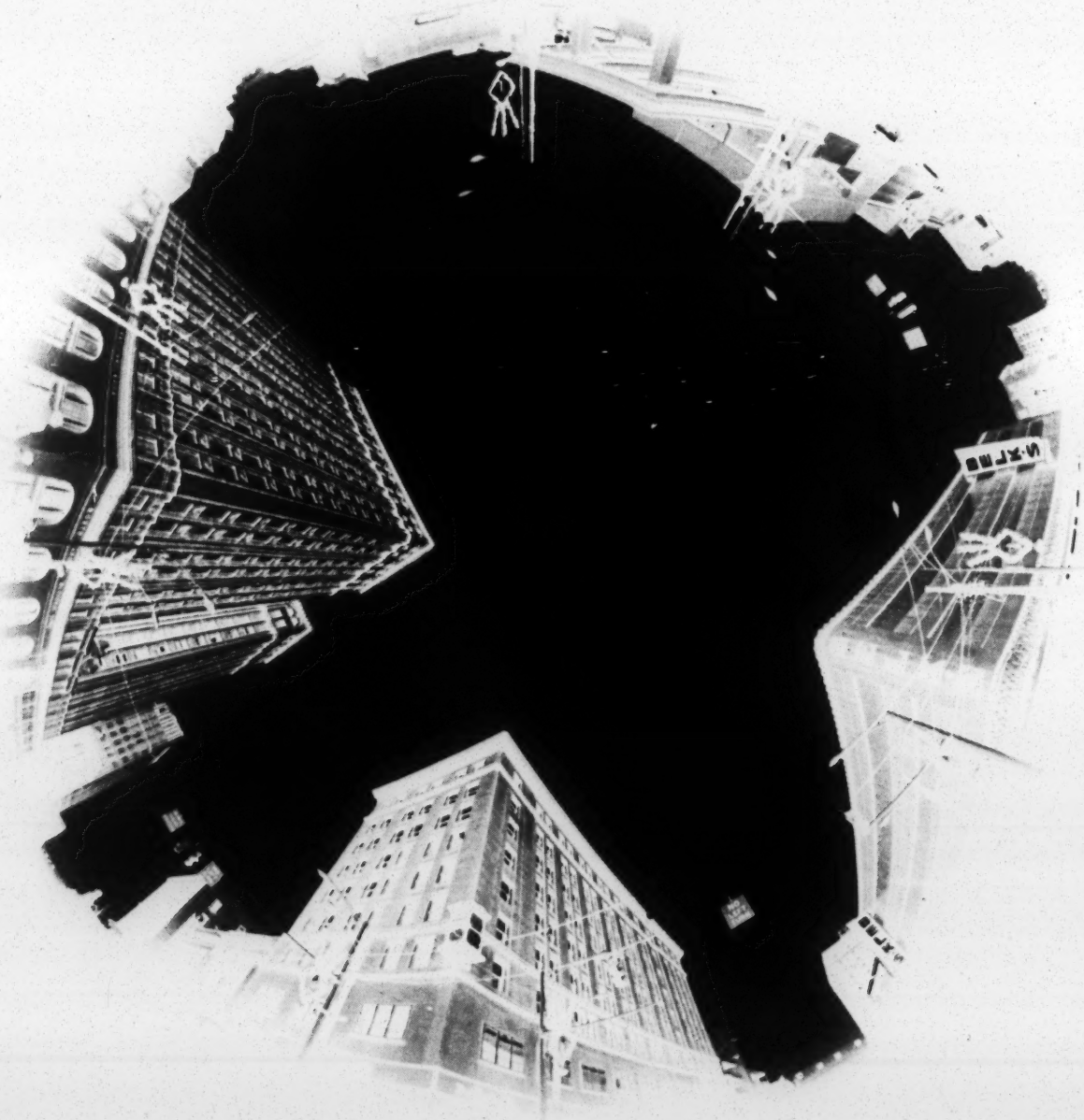
Foundation — ?
Patenaude ?
EEOC — ?
U.W. ?
Congressman — ?

Consult —
Fairfax
Norm Hill (Jack Beatty)
HCF

Greensboro business

SPECIAL ISSUE
JUNE 1969

THE OFFICIAL PUBLICATION OF THE GREENSBORO CHAMBER OF COMMERCE



"Let No One Misunderstand."

a statement of goals in
a time of change

MEMO FROM THE DESK OF:

Vernon Jordan

SRC meeting Folder

~~Paul~~

Emory

What do we do? I'm sure Mac will want to discuss this when he gets here. Let's discuss!!!

Vernon

JULIUS C. SMITH (1889-1968)
BEVERLY C. MOORE
McNEILL SMITH
JULIUS C. SMITH, III
BYNUM M. HUNTER
BRAXTON SCHELL
STEPHEN P. MILLIKIN
JOHN J. DORTCH
RICHMOND G. BERNHARDT, JR.
CHARLES E. MELVIN, JR.
RICHARD J. TUGGLE
HERBERT O. DAVIS
JACK W. FLOYD
ROBERT E. ALLEN
JAMES R. TURNER
DORIS R. BRAY
LARRY B. SITTON
MARTIN N. ERWIN
JAMES N. DUGGINS, JR.
RICHARD W. ELLIS
HAROLD N. BYNUM

SMITH, MOORE, SMITH, SCHELL & HUNTER
ATTORNEYS AND COUNSELLORS AT LAW
SEVENTH FLOOR JEFFERSON STANDARD BUILDING
MAIL: P. O. DRAWER G
GREENSBORO, NORTH CAROLINA 27402

TELEPHONE 273-8264
AREA CODE 919

October 27, 1969

RECEIVED
OCT 28 1969

Mr. Vernon Jordan
Southern Regional Council
5 Forsyth Street
Atlanta, Georgia

Dear Vernon:

I am sorry to have missed talking to you last week when I called, but I had a good talk with Emory Via. Hal Seiber has been under considerable attack from McDaniel Lewis and other segregationists in the Greensboro area. I should send you a full clipping from the Greensboro Daily News carrying what amounted to virtually a half page attack on the Chamber of Commerce for its social action program. This was a long interview with Lewis, who has been a big investment banker around here for a long time. He is a professional veteran, son of the American Revolution, etc. However, he does express a point of view.

Seiber very much needs $3,500.00 pledged, even if not immediately paid, to carry on the supplementary work which has heretofore been supported by small grants from OEA and the North Carolina Fund (the latterbeing out of business now, according to my information). You and he discussed this matter for some time when you were here. I think that in return he could be a great help in scheduling this sort of retreat with other Chamber executives and this would be good quid pro quo for any grant from SRC or any of its agencies to the local Chamber program.

He has raised more money than anybody else in the Chamber has ever done for this sort of work, but apparently the weekly dialogues and discussion ~~Coll~~s have required additional personnel to be on the telephone to get the good attendance that he has been getting. This is where the extra

273-8687
Hal ~~Seiber~~ Seiber — Chm or Co-Chm of Community Unity Dept
also Editor for C of C.

money goes and the $3,500.00 would carry him for another year. Even if you can't get all of that, a good hunk of it would be a great boost and especially at this time.

Could you give him a call and tell him what your situation is.

Best regards to everyone.

Very truly yours,

Mac

McNeill Smith

McNS:gt
Enclosure

The Other Side of the Tracks

By JOHN MARSHALL STEVENSON

"A Look At The Other Side Of The Coin"

Perhaps the greatest difficulty facing black leaders today who seek to provide some semblance of leadership and direction to the rank and file black citizenry is related to a determination of how they can convince the typical black man and woman that the system under which we live is a workable one.

All too often black people, who have become activists in the struggle for black survival, become disgruntled and disenchanted with the American System of government as it is applied to their problems. These very same black citizens find examples of injustice, indifference, and determined exploitation of the economically downtrodden by educated, affluent members of the business community.

It is for this reason, primarily, that many young blacks have developed a distinct antipathy for owners of private property—a hatred which they demonstrate at every opportunity by smashing windows, burning stores, and stealing merchandise which they often destroy simply because they have little or no use for it once they have gotten it.

There are some agencies in Greensboro which have taken it upon themselves to attempt to address themselves to the criticisms and indictments of young activist blacks against the so-called Capitalistic system. They have tried, often without measurable results, to demonstrate the fact that the capitalistic system can work if only concerned and sensitive members of the business and professional community have a determination to make it work for all racial and economic groups.

has had a rough row to hoe in convincing the black community that its members are "for real." Far too many black businessmen still hang back out of a fear that they will be exploited in a manner which will benefit only "the big dogs."

A recent article in the Daily News pointed out the kind of attitude which black people abhor and fear.

The article was concerned with a local member of the Greensboro Chamber, McDaniel Lewis, who attacked the Board of Directors as "irresponsible" because they seem to be going in many wrong directions."

The "wrong directions" which Mr. Lewis alludes to are based on the fact that the Chamber Board apparently is no longer willing to ride the status-quo until it drops from the sheer weight of citizens' petitions and protests. The fact that the Chamber favors change from the present system of City Government to that of the modified Ward System, and the fact that the Chamber is unwilling to allow itself to get caught up in the rhetoric of reaction by screaming for law and order 'without justice" have both elicited charges from Mr. Lewis, an investment securities broker, that "the Chamber is deteriorating" as a result of its concern for matters outside the scope of making a fast buck.

Mr. Lewis, it seems to us, is an example of the white capitalist, who in his zeal to protect and advance the cause of "unrestricted capitalis m," is instrumental in bringing down the wrath of the "hoi polloi" (common people) upon the very institutions he seeks to promote.

We, here at the Carolina Peacemaker, have been

which they demonstrate at every opportunity by smashing windows, burning stores, and stealing merchandise which they often destroy simply because they have little or no use for it once they have gotten it.

There are some agencies in Greensboro which have taken it upon themselves to attempt to address themselves to the criticisms and indictments of young activist blacks against the so-called Capitalistic system. They have tried, often without measurable results, to demonstrate the fact that the capitalistic system can work if only concerned and sensitive members of the business and professional community have a determination to make it work for all racial and economic groups.

One such agency is the Greensboro Chamber of Commerce which has gone on record in recent years as affirming the principle that every man who wants to advance and improve his condition ought to be able to do so without restrictions of race, creed, or color.

The Greensboro Chamber system of City Government to that of the modified Ward System, and the fact that the Chamber is unwilling to allow itself to get caught up in the rhetoric of reaction by screaming for law and order 'without justice" have both elicited charges from Mr. Lewis, an investment securities broker, that "the Chamber is deteriorating" as a result of its concern for matters outside the scope of making a fast buck.

Mr. Lewis, it seems to us, is an example of the white capitalist, who in his zeal to protect and advance the cause of "unrestricted capitalis m," is instrumental in bringing down the wrath of the "hoi polloi" (common people) upon the very institutions he seeks to promote.

We, here at the Carolina Peacemaker, have been critical of the Establishment before, but in this instance we believe that the Establishment has an effective advocate pleading its cause in the ghetto. We don't believe that it will listen to the strange melodies emanating from sirens who would lure constructive programs onto the rocks of reaction.

Bits of Life

By ROSCOE BROWN FISHER

Only A Touch

It was a modest home. Making my way back to the kitchen, I found the family seated about the table. With a casual glance I observed the food was no elaborate spread, yet sufficient to feed a family of five.

As the woman talked I noticed the little boy, about three, stumbled over something on the floor as he found his place at the table.

Remembering other responsibilities, I began excusing myself and started to my car parked in front of the humble home. To my surprise, the lad I had seen tripping over the doll on the kitchen floor was out to my car running his fingers slowly over the right front fender. Leaning over, I whispered in his ear so that his mother, who had showed me to the door, would not hear, "Don't rub your hands on the car, Sonny, you might scratch it."

As I opened the door to get in, his mother called to me, "Will you lift Sonny over the ditch, please, sir? He can't see. I expect he made his way out there to feel your car."

I lifted the little fellow across the ditch

As I turned the corner and pulled up into the driveway at my own home, tears slipped into my eyes when I thought of a little boy who did not know what the world looked like.

CAROLINA PEACEMAKER

JOHN MARSHALL STEVENSON, PUBLISHER
JOSEPH L. MURCHISON, JR., GENERAL MANAGER
REATHER BYRD, OFFICE MANAGER
VIRGINIA K. NEWELL WINSTON SALEM REP.

Published each Thursday at Greensboro North Carolina

Second Class Mailing Permit Paid at Greensboro 27420

SINGLE COPY 15 cents

SUBSCRIPTION RATE 6 Months $4.12 1 year $7.21

(including N. C. Sales Tax)

PRINCIPAL OFFICE: 912 Gorrell St. Box 20853

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Vernon met ~~Sible~~ Seibe a discussed

Program —
How often (how many times)

How many people

Kinds of resource people? Materials

Budget Problem —
How candid about C of C support
How much support from where ~~for what~~

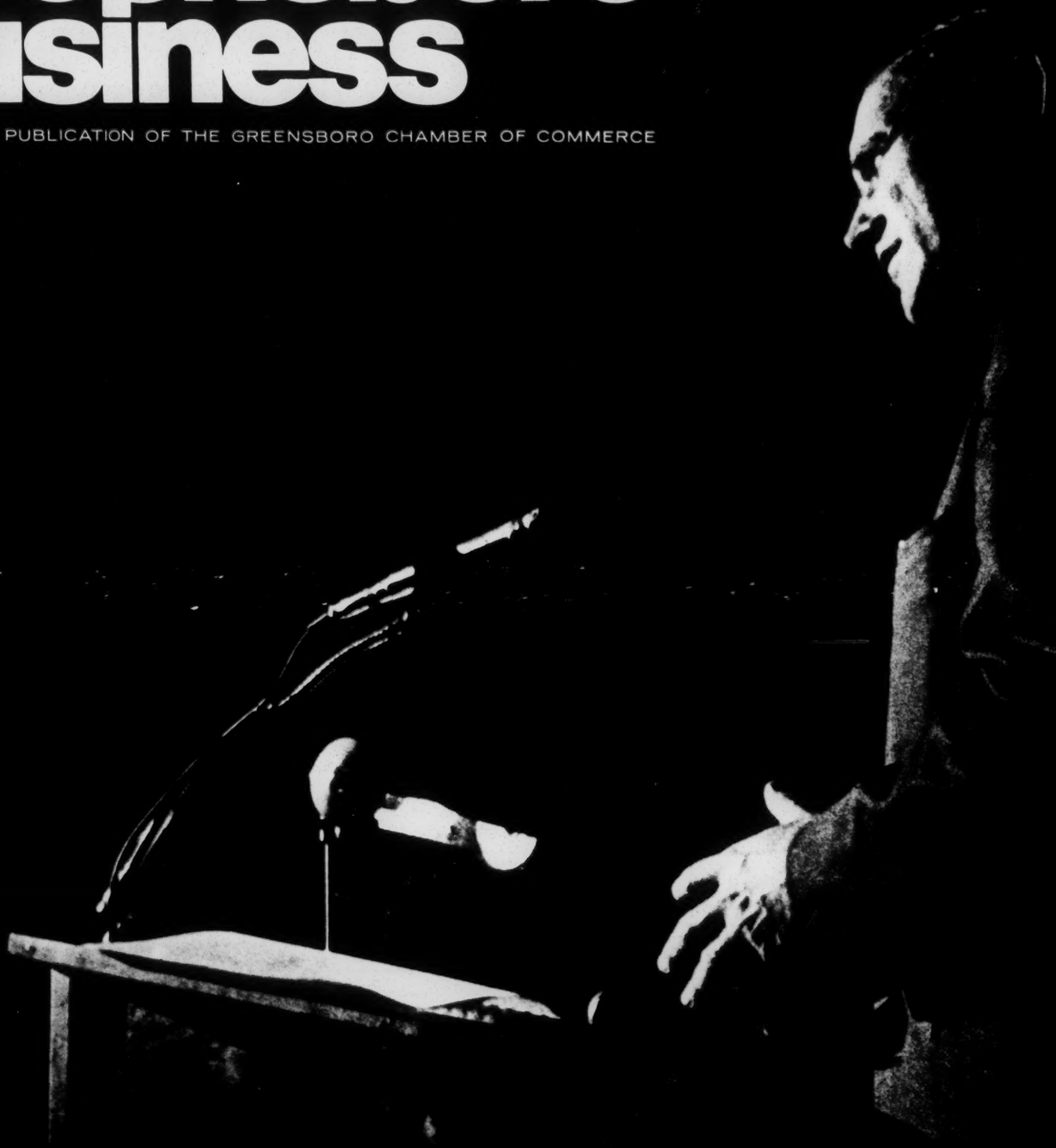
What money will go towards —

SRC Budget —
must take from some Program — not a foundation

Name of Program
How make out check
Formal request for assistance

Greensboro business

THE OFFICIAL PUBLICATION OF THE GREENSBORO CHAMBER OF COMMERCE



"We must merge the spiritual, economic, civic and cultural leadership of our community . . . to move forward with greater zeal than ever before. We must work for the spiritual as well as physical well-being of our city and area. Young and old must form an effective partnership. We must listen to each other. Our goal must be to make Greensboro one city. It may be one community already, but we must know and feel it is true and real."

Albert S. Lineberry
President, Greensboro Chamber

SOME SIMPLE FACTS
ABOUT THE FAIR LABOR STANDARDS ACT
(MINIMUM WAGE LAW)

Although the federal minimum wage law, like many laws, is somewhat complex, there are a few simple facts about it that everyone can and should understand. This leaflet explains these facts, the background of the law, its regulations in general, how it is enforced.

You can get additional information about the law, how it applies to a particular industry or a particular job, by sending for the free publications of the United States Department of Labor's Wage and Hour Division. Or you can visit the Division's nearest field office or ask questions by telephone or letter. A list of addresses and phone numbers of field offices is included in this kit. Also included is a list of publications.

HOW FEDERAL MINIMUM WAGES BEGAN

The first Fair Labor Standards Act, sometimes called the Minimum Wage Law or the Wage and Hour Law, was passed in 1938, during the New Deal period. It put a "floor" under wages of 25¢ an hour for the first year, rising gradually to 40¢ an hour seven years later. Only 12 to 13 million of the nation's then 55 million workers were covered by this very low minimum. Among the other 40-odd million, employers could legally pay less than 25¢ an hour.

Over the years the minimum wage has been revised upward several times. Also the Act has been amended to include new classes of enterprises and employees, so that many kinds of employment which were not at first covered by the law are covered now.

The latest revision, passed in 1966, took effect in February, 1967. On that date the minimum hourly rate for

Minimum Wage Campaign Kit, Labor Program, Southern Regional Council, Inc.
5 Forsyth Street, N.W., Atlanta, Georgia, 30303. February, 1967.

about 32 million already covered employees was raised from $1.25 to $1.40. Also, over 9 million employees who had not previously been covered had a floor put under their wages of $1.00 per hour. Among these 9 million newly covered employees are many who have been among the lowest paid employees in the nation, and probably also in your community. The floor for both groups will continue to rise. Previously covered employees will be entitled to at least $1.60 in 1968. By 1971 newly covered employees will reach the $1.60 per hour level. Agricultural workers now covered are scheduled to go to a legal minimum of $1.30 per hour in 1969.

COVERAGE AND MINIMUM HOURLY RATES AS OF FEBRUARY 1967

Every job falls into one of three categories: (1) it was already covered by the Wage and Hour Law before February, 1967; (2) it was not covered by the Act before February, 1967, but it is covered by the Act after February, 1967; (3) it was not covered by the Act before, and it is still not covered.

Industries and Enterprises Covered before February 1967. Many industries and enterprises have been covered for some time. But since February there is a higher minimum wage for these enterprises.

Beginning in February, 1967, the minimum wage for previously covered jobs is $1.40 an hour. Beginning February, 1968, it will be $1.60 an hour. Also, one and a half times the hourly rate must be paid for all hours over 40 in one week; the time-and-a half provision applies even if the employee is earning more than the minimum. (There are some exceptions to the time-and-a-half provision; consult the closest Wage and Hour Division field office if you need to know them.)

If an enterprise is covered, that means that supporting personnel like porters, watchmen, maids, elevator operators, and so on are all covered. Here are some examples of previously covered enterprises. (This is not the full

list of all enterprises covered; there are many more.)

Most companies in communications industries: telephone, telegraph, radio, television

Most companies in these transportation industries: highway building and repair; railroads; airlines; interstate bus; interstate trucking

Almost all factories

Almost all wholesale enterprises

Almost all mining enterprises

Large lumbering enterprises

Large retail stores or smaller stores (doing over $250,000 of business annually) in a chain

Large construction companies

Large gasoline service stations

Most city bus companies

Banks, insurance companies, and most advertising companies.

Industries and Enterprises Covered beginning February, 1967. Beginning in February, 1967, many industries that were never covered before will be covered, and in some industries where previously only large enterprises were covered, now many smaller enterprises will be covered also. But the newly covered jobs will begin by having a lower minimum wage and a longer basic work week than the previously covered jobs.

The minimum wage for newly covered jobs is $1.00 an hour beginning February, 1967. It will go up to $1.15 an hour beginning February, 1968. One and a half times the hourly rate must be paid beginning February, 1967 for all hours over 44 in a week, and beginning February, 1968, for all hours over 42 in a week. The time-and-a-half provision applies even if the employee is earning more than the minimum. But it does not apply to certain exempted jobs and industries, of which farming is one.

Here are some examples of newly covered industries and enterprises. Again if an enterprise is covered, unskilled maintenance employees are included. This is not a full list of all newly covered jobs; there are others.

Industries That Were Never Covered Before

Hospitals and nursing homes
All schools and colleges, public and private
Laundries and dry-cleaning establishments
Farms that employed more than 500 man-days of hired labor in a calendar quarter (about seven full time employees) last year
Large motels, hotels, restaurants
Large automobile, trailer, and farm-implement dealers.

Smaller Enterprises in Previously Covered Industries

Some smaller retail stores (doing more than $250,000 business annually)
All smaller construction companies (that is, all construction companies not previously covered)
Many smaller city bus companies
Many large taxicab companies (drivers are exempt from overtime).

Industries and Jobs Not Previously Covered and Still Not Covered. The Fair Labor Standards Act does not cover employment of the following.

Professional, administrative, and executive employees
Outside Salesmen
Domestic workers
Members of an employer's immediate family
Employees of motion-picture theaters
Fishermen

There are others that are not covered.

SOME SPECIAL PROVISIONS

Equal Pay. All employers covered by the Act, whether before or since February, 1967, must pay women workers the same rate as men workers for the same job, and they may not reduce the men's pay to make it equal to the women's. This applies even if the employees are receiving more than the minimum rate.

Child Labor. All employers covered by the Act are prohibited from employing children under certain conditions. No children under 14 years of age may be employed at all, except in agriculture and then only outside of school hours. Children between 14 and 16 may be employed only outside of school hours, except in agriculture. And children under 18 may not work in certain dangerous occupations. (In addition, many states have special state regulations regarding child labor which occasionally may be stricter than the federal regulations. You also should consult your state department of labor if you believe children are being employed illegally.)

Students and Handicapped Persons. There are special, lower minimums for learners, students and handicapped persons if the employer has a certificate from the Wage and Hour Division.

Contract Services to the Federal Government. Employers who provide goods or services to any branch or agency of the federal government must pay at least the higher minimum for previously covered employees in nearly all cases.

Determining the Hourly Rate. Some workers are paid by the day, the week, the month, or by a piece rate. The hourly rate can be determined by dividing a week's wages before any overtime is added by the number of hours worked. This gives the basic or regular rate. The employee is then entitled to half again as much for each hour worked over 40, or over 44 if he is newly covered. Remember to make this calculation using the employee's gross pay before deductions, not his take-home pay. The employee has a right to know from his employer what his gross pay is.

WARNING: The regulations have been explained in a very general way here. There are many refinements and exceptions. You can find out more specifically whether a particular job in a particular firm is covered by the law by consulting the various publications listed in the booklet or by inquiring at your nearest field office of the Wage and Hour Division of the U.S. Department of Labor.

ENFORCEMENT

The Wage and Hour Division of the United States Department of Labor is responsible for enforcing the law. It acts on its own in uncovering intentional or unintentional violations. It also responds to requests for investigation and complaints.

Who May Lodge a Complaint. Anyone may inform the Division that he believes a particular employee is not being paid in accordance with the law. Complaints are sometimes made by a firm's competitors, by labor unions or by individual employees. The Division never reveals to the employer the name of the individual or group making the complaint. It will also make an investigation on the basis of an anonymous complaint. But, of course, an individual who makes a complaint without revealing his name can't receive an answer from the Division. Besides the fact that the Division will not reveal the name of the person making the complaint, any employer who fires an employee for going to the Wage and Hour Division with an inquiry or complaint can be punished under the law.

Where and How to File a Complaint. If you think an employee is being underpaid according to the law's minimum or is not being paid overtime, or if you think a woman is being paid less than a man for doing the same work you should report the case to the nearest field office of the Wage and Hour Division. If you are not certain whether an employer or an employee is covered by the law, you can still ask the field office to investigate.

You can telephone, visit in person, or write. You should have as much information about the employer's business and about the employee's job as you can get. The white sample information sheet shows some of the kinds of information the Division needs in order to investigate. But do not fail to file just because you can't get all the information, the Division investigator will get it himself.

You may want to mail the postcard in your kit to

your nearest office asking for the "Employment Information Form" on which to file a request for an investigation.

What Happens after You File A Complaint. Your complaint should be acknowledged within a few days. After that, it may take several weeks to a few months, depending on how busy the office is, for an investigation to be made.

If the complaint is justified, that is, if the employee or employees are being underpaid according to the law, the Division will order the employer to make up the whole amount the employee lost during the entire time he was underpaid and to pay him in accordance with the law from that time on. In the rare case where the employer does not obey such an order, the Division may take him to court. The burden of enforcing the law is on the government, not on the employee. If the complaint is unjustified, that is if there is no violation of the law, the Division will make a report to the person who filed the complaint explaining why it holds that there is no violation.

If there is no response after a reasonable time or if the response seems unsatisfactory, you may ask the regional office of the Division to review the case.

Detailed reports are not given to organizations or outsiders. If your group wants to act on behalf of one or several employees and you want the Division's responses to come to your organization's address, file in the name of an individual employee, with his consent, with an address in care of your organization.

Problem Areas. The industries and firms that are being covered for the first time are those where there are most likely to be violations or misunderstandings. Therefore, you would do well to be especially sensitive to conditions in the following fields:

Agriculture--If last year a farmer employed six or seven employees more or less regularly, or regularly during the season, he may be covered this year. Many large farmers who have never been covered before will now have to pay at least $1 an hour, and the same piece rate to children as to adults.

Laundries, dry-cleaning establishments, hospitals, nursing homes, schools--These kinds of enterprises have traditionally paid their maintenance and kitchen personnel very low wages for very long hours. Almost all of them will now be covered by the law. The lowest-paid workers will now have to be paid at least $1.00 an hour for hours up to 44 and $1.50 for hours over 44. Most workers will have to be paid time-and-a-half for hours over 44.

Restaurants, motels, hotels--Many large hotels, motels, restaurants will be covered for the first time. Tips may be counted toward earnings, but only up to 50 percent; at least 50 percent must be paid in wages by the employer.

It would also be worthwhile to investigate the situation of any workers who were receiving $1.25 an hour before February, 1967. If they were covered by the law then, they should now receive $1.40 an hour.

REVIEW and OUTLOOK

Short-Sighted Sensibilities

Daniel P. Moynihan, that Diogenes of contemporary liberalism, comes down hard on social welfare professionals in the current issue of The Public Interest. To avoid revealing unpleasant truths about the poor, he charges, welfare workers obscured the emerging crisis in the system they administer.

With his usual astuteness, Mr. Moynihan identifies an important factor in the current welfare crisis, though he strikes us as a bit unfair in singling out social workers. The same short-sighted sensibilities about poverty permeate the entire liberal community to which both they and he belong. And even today they are formidable barriers to meaningful reform.

The crisis in welfare arises, as Mr. Moynihan conscientiously reports, because aid to families of dependent children has changed profoundly in nature over the last decade or so, and also has "commenced growing at a wholly unexpected rate." During 1966 alone, for instance, the number of persons on AFDC rolls increased 6.3% and the national cost of the program grew 17.4%. Recent Federal reports, moreover, indicate a still sharper increase during 1967.

In addition, AFDC has increasingly become a device for aiding a single class, poor urban Negroes. Even more importantly, it has shifted from a program aiding widows and their children to one supporting abandoned families. In 1940, widows and their children accounted for 42% of the rolls. By 1963 this figure had dropped to 6%, and "a good two-thirds of the children were, for practical purposes, simply abandoned."

Social welfare professionals knew these changes were taking place, he says, but befogged them until things got entirely out of hand. "A principal reason that these crises have crept into being is that somewhere along the line the social welfare professionals decided, in effect, to say nothing about them. . . . Finding they could do little to improve the conditions of the welfare population, the social welfare profession opted instead to protect its good name."

Doubtless that impulse was common among welfare workers, but to drop the thought there also conceals important truths. Their attitude was simply one derivative of the general liberal feeling that poverty is entirely —not merely partly—the fault of society. Support for the poor is not charity or even a hardheaded means of improving society, the feeling goes, but a sort of penance society owes the poor because of its all-encompassing guilt.

The translation of those attitudes into national policy resumed with the Democratic Presidential victory in 1960. And to us it comes as no surprise when Mr. Moynihan reports the same year marked a transformation in AFDC trends. Previously, applications tended to rise and shrink in conjunction with unemployment. Now they mount steadily in the face of declines in unemployment, and therefore presumably in the actual incidence of poverty.

The same attitudes block welfare reform today. Mr. Moynihan, for example, points out, "the poor of the United States today enjoy a quite unprecedented de facto freedom to abandon their children in the certain knowledge that society will care for them, and what is more, in a state such as New York, care for them by quite decent standards. Through most of history, a man who deserted his children pretty much ensured that they would starve, or near to it, if he was not brought back and that he would be horsewhipped if he were."

Yet any step to enforce laws against abandonment offends the liberal community. Propose so mild a measure as requiring welfare recipients to cooperate in locating and prosecuting runaway husbands, and the howls will make you think someone wants to go back to horsewhipping.

Last year Congress took some hesitant steps toward reforms to curb soaring welfare dependency, but even so rational a liberal as Mr. Moynihan dismisses them as "purposively punitive." That is, some provisions, while intended to benefit both society and the poor themselves by getting more recipients into the workforce, are unmistakably coercive.

For our part, we do not know if Congress' measures are as reasonable as possible; we do know that liberal spokesmen have generally refused even to discuss alternatives. They talk only about increased gratuities of one sort or another, and instantly dismiss even the hint of the mildest coercion.

No end to dependency seems in sight as long as such sensibilities prevail. They put a taboo on a vital truth: That reform will require not only continued financial support for the poor but also measures designed to reach the only real remedy—the bolstering of individual responsibility.

Note of Candor

'Suicidal' Rural Gap in the Poverty War

* * *

By BURT SCHORR

The Government commanders view the cities as the critical battleground and are concentrating their strength there. Some gains have been made, but replacements for the other side continue to pour in from the countryside. For this reason, the outcome of the Government drive is uncertain at this time.

An imaginary communique, to be sure, but it sums up the frustrations that plague a growing number of Washington strategists waging America's "other" war—the war on poverty.

For the sad fact is that, much as the U.S. military is made extra-vulnerable in South Vietnam's cities by unrest in the hamlets, so do the home-front poverty warriors approach another summer showdown in the urban slums with their rural flanks exposed.

"President Johnson wants industry to come up with 500,000 jobs for the hard-core unemployed in the cities," caustically observes one Federal poverty specialist. "But what if the jobs materialize? The Government will have to turn around and find 500,000 more jobs there for new migrants from the rural areas."

What especially embitters poverty campaigners attempting to stem this self-destructive flow is that some entrenched Government programs are actually encouraging it.

Skimpy in the South

Federally aided state welfare benefits, for example, tend to be skimpiest in Southern states from which the largest number of migrants flow, and most generous in the Northern areas now feeling the greatest rural influx. Soon New York City will be spending "more on welfare than on public education," Under Secretary of Commerce Howard J. Samuels recently warned in a speech. "Where there are regional imbalances and wide differences in the welfare rates between countryside and city, there is obvious incentive to migrate to the city."

Yet when the Johnson Administration attempted last year to increase benefits in states where rates now are lowest, the recommendation was swept aside in a general House uprising against bigger welfare spending.

Similar contradictions abound in long-accepted farm policies. Speech after speech by Agriculture Secretary Orville Freeman warns of "the suicidal implications of rural-urban imbalance." Yet, whatever their benefits, programs administered by Mr. Freeman's department are also adding to the very imbalance he speaks of, by increasing rural migration. One example was cited by the President's National Advisory Commission on Rural Poverty in its recent report, aptly titled "The People Left Behind."

Over the past two years, Uncle Sam has handed cotton growers more than $1.8 billion in direct payments. The money was partly inducement to cut acreage to shrivel a mammoth Federal surplus; aided by poor growing conditions and strong market demand, it succeeded beyond expectations.

But it dealt a fresh jolt to cottonfield employment, already hard hit by mechanization. (New minimum wage levels taking effect for agricultural workers last year slashed cotton production jobs still further.) "The magnitude of the acreage change (down more than a third), coupled with the lack of antipoverty programs to take up the slack, brought forth a social cost inadequately considered in the acreage reduction decision," the poverty commission said.

* * *

like peanut butter, flour, margarine and nonfat dry milk.

But even where stamps are available some people are too poor to buy them. Not until Senate hearings last year aired embarrassing claims of severe malnutrition in Mississippi did Mr. Freeman cut the price of food stamps —something he had already contemplated but shelved because of a chilly reception by Mr. Whitten. Now a family of six can buy $72 worth of groceries for $3 in cash, down from $12. This plus other liberalizations appears to have expanded the food stamp rolls by over 200,000 persons, or more than 10%, since last summer, with the biggest increases occurring in rural areas, the department says. Further expansions are expected to result from the special anti-hunger funds Congress voted after the Senate hearings.

Agriculture isn't the only Federal agency whose "outreach" to the rural poor appears stunted. In the Labor Department's manpower development and training projects, recruitment has been redirected so that two-thirds of the enrollees now come from "disadvantaged" backgrounds, instead of only one-third; even so, only 20% of those in training today are rural residents.

"There's not much point in locating a training project out in a rural area where equipment, teachers and jobs aren't available," says an administrator.

Office of Economic Opportunity funds have been drawn heavily to the cities. Urban poverty woes obviously are more visible, and city politicians have greater leverage in Washington, while rural areas have often been slow to organize for OEO programs or simply lack the talent. "It's tough to recruit professional staff people for Mississippi or Alabama when there are good jobs in Cleveland," says one rural specialist in the poverty agency. He cites one result:

"Last year, a good many money requests

* * *

from rural communities for summer Head Start (the OEO's pre-school program) arrived in Washington only a few days before the starting date. The cities, by comparison, had their requests in two and three months in advance. In a situation like that, there's no question about who gets the available funds."

OEO figures illustrate the inequity. Of the 680,000 youngsters in Head Start classes last summer, only 169,000 lived in rural areas. Similarly, OEO jobs programs have trained 243,000 individuals to date. But only 49,000 were from rural communities; its legal assistance program has reached 225,000 poor clients, but only 41,000 them were rural.

Dearth of Meaningful Data

Washington's bureaucratic beehives swarm with statistics like these, yet there's a deplorable dearth of meaningful data about the needs and attitudes of the rural poor. They number more than 14 million, or some 40% of the total deemed to be living in poverty in affluent America. But what may be happening to them can only be glimpsed in estimates like those of the Agriculture Department that some 650,000 persons a year are changing from farm to nonfarm residences, or that between April 1960 and April 1966 the number of nonwhites living on farms dropped 44% to 1,452,000—a "fantastic" decline, in the view of one department demographer.

But where did they go? Did the Mississippi cotton farmer merely move down the highway to Jackson? Or are his children now roaming Chicago's South Side? No one here can say for certain. "We don't even know why some rural residents migrate to cities and others stay where they are," says one Capitol Hill aide often involved in poverty issues.

Uncle Sam has much to learn and much to reorganize before he can close the rural gap in his antipoverty lines.

The Theater: *With LaMaMa and Eyen*

New York

The road of pot-luck is a bumpy one but more often than not the only one available to the traveler on the Off-Off-Broadway circuit. Quality of writing and performance swings at the end of a disconcertingly long pendulum. The mode is generally experimental (where the one man's experiment can lead to another's torture). Also, given the practice of short runs, guide-sign reviews usually appear after the fact of the feast—or famine.

A less risky approach, of course, can be devised by heavy reliance on the work of individuals or groups that already have an impressive string of successes behind them. A new play by Sam Shepard or Lanford Wilson, for instance, is always a good omen. Most productions at the Judson Church or St. Mark's-in-the-Bouwerie certainly merit special attention. So, this past weekend, could have been found a batch of rewarding theatrical efforts with two more familiar names in the area: Playwright Tom Eyen and LaMaMa E.T.C. (Experimental Theater Club).

Mr. Eyen has been well represented during the past year by "Court" and "Sarah B. Divine," put on, appropriately enough, at LaMaMa among other places. Both plays demonstrated his special talent for wrapping observations on more unpleasant aspects of the human condition in an ostensibly harm-

from the other. As the TV chit-chat rolls merrily by with Mrs. President being charmingly wide-eyed and average-American about the wonderful country she "lives in—and partly owns," the family scathingly rips its way to the realization that Johnny won't be coming home at all. What was irreverent, goofy humor leaves an acrid aftertaste—and a fine example of Mr. Eyen's peculiar theatrical intelligence.

The second half of the program is taken up with the several parts of "The Kama Sutra (a Hindu Ritual of Organic Happenings)." Here Mr. Eyen zeroes in on the current fashion for the various exoticisms of the East. Using the famous sex manual as grist enough for his mill, he scatters its techniques to the four corners of Catskill resorts and New Jersey suburbia with devastating and hilarious accuracy. The playwright's own, and by now expert, Theater of the Eye Repertory Company does the acting honors.

Ellen Stewart's Café LaMaMa on Second Avenue is showing two plays by Thomas Murrin. Neither is totally successful, but both indicate a gift for pinning back the brightly colored wings of the familiar "charming loser," the eternal patsy who "could've been a winner if I really wanted to." Moreover Mr. Murrin enjoys the assets of several superb performances.

The Bookshelf

'Elsewhere' of an Artist

Born in Turkish Armenia beside Lake Van, adopting a pseudonym of Russian derivation, Arshile Gorky is nonetheless an American painter. Insufficiently recognized and recompensed in his life, he is now regarded as a master.

A new item in a growing body of studies is "Gorky," a sumptuously handsome volume, 11 by 11½ inches, by current standards a bargain even at its high price. The text is by Julien Levy, the artist's dealer and friend in the most productive final years. There are 208 plates, 40 of which are hand-tipped color plates of outstanding quality.

Gorky, born in 1905, was christened Vosdanig Manoog Adoian. His father deserted the family and came to America to escape Turkish military service. American missions provided the boy's first schooling. His earliest art studies were in Tiflis. After his mother's death, the impoverished 15-year-old managed to come to the U.S. with a sister in 1920. They joined their father in Rhode Island, and later lived with another sister in Massachusetts.

The young man studied art in Boston, Providence and New York. Sometime in the late 1920's he adopted the pseudonym Arshile Gorky. The Russian name means "the bitter one." "Arshile" is apparently his own variation of Achilles, who withdrew and sulked bitterly in his tent.

He produced a large body of work in a life hard because of scanty recognition and cumulative disasters. Many of his paintings were destroyed by a fire in his studio in Sherman, Conn., in 1946. The same year he underwent an operation for cancer. In 1948 he sustained a fractured neck in an automobile accident. Some two months later, on July 21, despondent over these matters and other more personal problems, he hanged himself in the woodshed of his home, at the age of 43.

* * *

Hindsight reveals the onset of the impulse to self-destruction. He had been preoccupied for weeks with a story of Chekhov's, a morbid fantasy, "The Black Monk," which ends: "Beneath the balcony the serenade was being played, and the Black Monk whispered to him that he was a genius, and he died only because his feeble, mortal body had lost its balance, and could no longer serve as the covering of genius."

Mr. Levy's text is of broader interest than simply as a biographical sketch and critical appraisal of Gorky. The painter's developing work recapitulated most of the major phases of modern painting, from Impressionism onward, including especially pronounced influences at different stages by Cezanne and Picasso. There is nothing novel about imitativeness as a mode of development. What marks Gorky is the breadth of his recapitulation, together with the fact that something distinctly, forcefully original is present even when he is most imitative. Mr. Levy draws interesting parallels between this fact and the conscious review of styles in the writing of James Joyce, as the author advanced toward his leap into drastic experiment.

This aspect of Gorky enables Mr. Levy's essay to become an intensely concentrated, penetrating comment on the nature, evolution, aims and problems of modern painting.

The vocabulary of classification and criti-

to improve the conditions of the welfare population, the social welfare profession opted instead to protect its good name."

Doubtless that impulse was common among welfare workers, but to drop the thought there also conceals important truths. Their attitude was simply one derivative of the general liberal feeling that poverty is entirely —not merely partly—the fault of society. Support for the poor is not char- [illegible] generally refused even to discuss alternatives. They talk only about increased gratuities of one sort or another, and instantly dismiss even the hint of the mildest coercion.

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Note of Candor

The Administration has been telling businessmen that controls on foreign investment are merely temporary. But evidently it hasn't told the recruiting people at the Commerce Department.

Anyway, their two-column ad in this paper the other day proclaimed, "The newly created Office of Foreign Direct Investments offers excellent career opportunities in administering the recently instituted program concerned with overseas direct investments by U.S. corporations."

In case anyone missed the point buried in that fine print, there it was again right at the top of the ad in bold italic type, "Career Opportunities."

Makes you wonder, doesn't it?

Postmaster General O'Brien's Band

"The Post Office Department has done it again," begins a nice letter we have just received from a church secretary in the Midwest. She is referring to an editorial appearing in this space a while back about a change in the postal regulations permitting the use of rubber bands, instead of string, to bundle certain classes of mail.

This change in the regulations was goods news to her, writes Miss Church Secretary, because she had been spending many hours a year wrapping string around stacks of third class stamped material before carting it to the post office. If all she had to do was to snap a couple of rubber bands around the mail she could save a lot of time and energy.

What the good lady evidently failed to appreciate is that when the Government moves, it moves in mysterious ways. Dutifully, she inquired of her local post office what kind of rubber band the Post Office Department approves of.

And her post office told her. The hitch was that she could find no stationery store which had that kind of rubber band. The reason for that is, to students of matters governmental, astonishingly simple: Until the Post Office Department revised its regulations, the kind of rubber band it specified did not exist.

We suppose people at post offices are measuring, snapping and pulling at rubber bands to make sure the specifications are being met. But not many. For inquiry discloses that Miss Church Secretary is not alone in clinging to oldfashioned string. At least one major rubber band manufacturer makes no Post Office Bands at all. Others make a few and sales are slow.

"It's a puzzlement," says our correspondent. Not really. It's just that Postmaster General O'Brien's Band has hit another clinker as it supposedly strives to restore a snappier tempo to the mails.

PEPPER.... *and Salt*

Mostly Honor

Honorarium,
I've come to see,
Is a very big word
For a very small fee.
—Richard Armour.

Holiday Afterthought

What the world needs is more mistletoe and less missile talk.
—Anna Herbert.

Qualifications

After nervously clearing his throat and assuming a firm stance, the hired hand said to his boss, "I've been with you twenty-five years and I've never asked for a raise before."

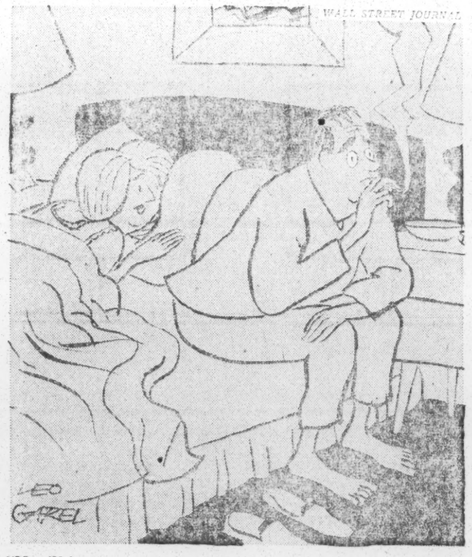
The farmer replied, "Wal, Clem, that's why you've been with me for twenty-five years."

Chips Off the Same Block

Even in the Stone Age, when women wrote down their ages, they were chiseling.

Daffynition

Instalment buying: Confound interest.
—Jack Kraus.



"You'll just have to stop watching the late news, Herbert."

Over the past two years, Uncle Sam has handed cotton growers more than $1.8 billion in direct payments. The money was partly inducement to cut acreage to shrivel a mammoth Federal surplus; aided by poor growing conditions and strong market demand, it succeeded beyond expectations.

But it dealt a fresh jolt to cottonfield employment, already hard hit by mechanization. (New minimum wage levels taking effect for agricultural workers last year slashed cotton production jobs still further.) "The magnitude of the acreage change (down more than a third), coupled with the lack of antipoverty programs to take up the slack, brought forth a social cost inadequately considered in the acreage reduction decision," the poverty commission said.

Retaining Congressional Support

Such concern isn't new. New Deal liberals in the Agriculture Department were arguing the same point in the mid-1930s when the first Federal cotton program cut back production and pushed thousands of sharecroppers off the land. But the liberals were purged by Agriculture Secretary Henry Wallace, and President Roosevelt chose to ignore the plight of the sharecroppers to retain the support of important Southerners in Congress.

Today the names have changed, but the politics are the same. Mississippi Congressman Jamie L. Whitten, for example, is sometimes called "the other Secretary of Agriculture" by Capitol Hill colleagues. In the Senate, the Democratic majority's lineup on the Agriculture Committee starts off, in order of seniority, like a Confederate Army roster: Chairman Allen Ellender (Louisiana), Spessard Holland (Florida), James Eastland (Mississippi) and Herman Talmadge (Georgia).

Antipoverty activists contend Mr. Freeman's fear of reaction from these conservative Southerners is one reason Government food distribution programs, which operate under his department's control, haven't done enough to alleviate hunger and malnutrition among the rural poor. Conceivably, it's argued, a better diet could discourage at least some out-migration from rural areas. As Mr. Freeman sees it, though, his hands are tied by Congressional directives; the food stamp program was "not designed nor developed as a welfare program," he says, but was intended to help the needy "supplement their basic expenditures for food."

More than 200 poverty-ridden counties, most of them Southern and many of them heavily Negro, still refuse to sell Federal food stamps to low-income residents or, alternatively, to distribute free Federal commodities

Notable & Quotable

Manuel S. Cohen, chairman, Securities and Exchange Commission, speaking in New York at a meeting of more than 1,000 professional money managers, renewing his proposal for an SEC study of institutional investors:

More investors are apparently looking for dramatic, short-term growth, high risk, leverage, etc.—in short, they are seeking to live dangerously, and many are doing it through the medium of institutions. I might add that there appears to be no shortage of institutional managers who are prepared to satisfy —and in many cases to foster—that demand.

Rep. Emanuel Celler, New York Democrat, telling the House "in the spirit of levity" a story about French President Charles de Gaulle on a visit to the Louvre with his minister of education:

. . . There in a niche in the wall President de Gaulle looked up and said, "Oh, a Monet," The minister of education said, "No, Mr. President, that is not a Monet, it is a Renoir." They went to another part of the Louvre where the president looked up and said, "Oh, that is a Matisse," whereupon the minister said, "No, Mr. President, that is a Lautrec." The president then looked into another niche and excitedly exclaimed, "This is a Picasso." The minister said, "No, Mr. President, that is not a Picasso, it is a mirror and you are looking at yourself."

[illegible] dividuals or groups that already have an impressive string of successes behind them. A new play by Sam Shepard or Lanford Wilson, for instance, is always a good omen. Most productions at the Judson Church or St. Mark's-in-the-Bouwerie certainly merit special attention. So, this past weekend, could have been found a batch of rewarding theatrical efforts with two more familiar names in the area: Playwright Tom Eyen and LaMaMa E.T.C. (Experimental Theater Club).

Mr. Eyen has been well represented during the past year by "Court" and "Sarah B. Divine," put on, appropriately enough, at LaMaMa among other places. Both plays demonstrated his special talent for wrapping observations on more unpleasant aspects of the human condition in an ostensibly harmless cocoon of the whackeist humor this side of S. J. Perlman and Bruce Jay Friedman. He is now providing more of the same at 'Ntoni Bastiano's Playwrights' Workshop on Waverly Place.

"November 22nd" is a television interview with a U.S. President's wife who just happens to have a thick—and stunningly accurate—East Texas drawl. "When Johnny Comes Dancing Home Again (a routine for semi-emotional puppets)" revolves about the solipsisms of the family of a soldier serving in Vietnam—a coward, according to his buxom wife; a poet, according to mother, who therefore insists he would be incapable of "marching home" like the ordinary specimen.

The plays are presented simultaneously, a scene from one alternating with a snippet

Mr. Eyen zeroes in on the current fashion for the various exoticisms of the East. Using the famous sex manual as grist enough for his mill, he scatters its techniques to the four corners of Catskill resorts and New Jersey suburbia with devastating and hilarious accuracy. The playwright's own, and by now expert, Theater of the Eye Repertory Company does the acting honors.

Ellen Stewart's Cafe LaMaMa on Second Avenue is showing two plays by Thomas Murrin. Neither is totally successful, but both indicate a gift for pinning back the brightly colored wings of the familiar "charming loser," the eternal patsy who "could've been a winner if I really wanted to." Moreover Mr. Murrin enjoys the assets of several superb performances.

In "Hung," a detailed description of a young man's physical and spiritual deterioration on the "morning after" a drunken episode, Kevin O'Connor rants, cajoles and stumbles his way to a sharply sensitive portrait of the type who meets his Armageddon in personnel offices. Mr. O'Connor consistently proves himself among the best of Off-Off-Broadway's—and New York's—actors. And in "Roommates," Karl Schenzer and Michael Miller drain a slew of very funny routines from a war of imaginations to determine who gets to sleep in the single bed.

Both the Eyen and the LaMaMa productions, by the way, are scheduled to run through this weekend. Both make nice alternatives to more on-beat fare.

—JOHN J. O'CONNOR

Letters To The Editor

Travel Taunt

Editor, The Wall Street Journal:

Without considering the matter of whether any travel tax at all should be instituted, I would like to comment on your editorial response to the particular form proposed for this tax ("Europe on $7 a Day," Feb. 7).

You say that it "is intentionally designed to interfere with the liberties of American citizens." Then, in your generous concern for your fellow citizens, you proceed to sneer at the "dirty shirt set, skylarking students and other minimal spenders"—in your best editorial tone. Or does your contemptuousness perhaps betray your prejudices? Do not even the lowly possess the right to travel?

It is your attitude, not that of the Administration, that involves "curious notions of social worth." One suspects that what arouses your sympathy is the case, not of the "modest American," who has saved "$200 a year for five years," but that of the businessman with more than that to spend.

Be that as it may, are you incapable of sympathizing with the would-be traveler whose resources are less than "modest"? Perhaps you prefer that he stay in his place.

JAMISON V. V. WILCOX

Amherst, Mass.

* * *

Protein Preferred

Editor, The Wall Street Journal:

Filled milk may have "special appeal for people who want to avoid saturated animal fats in their diet" ("Commodities," Feb. 5). But when coconut oil is used to replace butterfat, as you correctly stated it is in most filled milks and substitute creams currently available, the product is just as saturated as before the butterfat was removed, and therefore it makes no contribution to better heart health. Coconut oil is a highly saturated fat.

Polyunsaturated fats are provided by only four vegetable oils of any practical importance—safflower, soya, corn and cottonseed oils. When filled dairy products are made with any of these four oils, particularly the first three, they will be a real contribution to better health.

I am amazed at the number of physicians, to say nothing of the ordinary consumers, who are of the opinion that the present day filled milks and substitute creams with unidentified "vegetable fat" are desirable from the viewpoint of lessening the saturated fats of the diet. They are not.

Dairymen could do so much for their sick industry if they would price milk on the basis of its protein, not butterfat, get the Congress to remove the restrictions on filled dairy products their grandfathers and fathers obtained, and start manufacturing products that are up to date with modern nutritional findings.

FREDERICK J. STARE, M.D.
Professor of Nutrition,
Chairman, Harvard's Department of Nutrition

Boston

* * *

Credit Comments

Editor, The Wall Street Journal:

In our opinion your page-one story "Prying for Pay" (Feb. 5) started from the wrong premise. The granting of credit is not a universal right conferred upon anyone who asks for it. Rather, it is a privilege granted to those who use it in a satisfactory manner.

What I object to strenuously is that credit bureaus are, per se, prying institutions. It is obvious that our credit-granting customers must have some information upon which to base the credit-worthiness of their customers. We furnish them with that information but we are not running a detective bureau open to all comers. In fact, a check of our files reveals that government inquiries constituted only .0015% of our work during 1967.

It must be realized that the majority of our information is favorable and permits millions of people to use credit when needed without delay. We respect the individual's right of privacy and want to keep the situation that way.

GILBERT HAMBLET
Vice President and
General Manager, Credit
Bureau of Cook County Inc.

Chicago

A more appropriate title for your article might be "The Neighborhood Gossip in a Modern Setting." This would be a more adequate description of the mentality to which many business leaders apparently subscribe, since they have such an insatiable thirst for personal information.

GEORGE E. HOWARD

Albuquerque, N.M.

of modern painting, from impressionism onward, including especially pronounced influences at different stages by Cezanne and Picasso. There is nothing novel about imitativeness as a mode of development. What marks Gorky is the breadth of his recapitulation, together with the fact that something distinctly, forcefully original is present even when he is most imitative. Mr. Levy draws interesting parallels between this fact and the conscious review of styles in the writing of James Joyce, as the author advanced toward his leap into drastic experiment.

This aspect of Gorky enables Mr. Levy's essay to become an intensely concentrated, penetrating comment on the nature, evolution, aims and problems of modern painting.

The vocabulary of classification and criticism in modern art is confusing, even to those inside. How to classify Gorky? Mr. Levy, whose gallery was the showplace for many of the most advanced painters, notably many of the Surrealists, says: "He should really be thought of as a prodigious Abstract Surrealist, although I dislike the term, rather than in his acknowledged but lesser role as a forerunner of Abstract Expressionism." The plates, of course, display the sequence of his many styles, through the derivations to what is uniquely Gorky.

Mr. Levy cites four plates, remarking that "from these paintings alone the whole Abstract Expressionist movement may claim its source." Then he cautions against the risks of trying "to designate the meaning of Gorky in the terms of any 'ism'. . . ."

* * *

Perspective far back beyond the "modern" is lent by a passage from Leonardo, among the well-chosen and varied texts that precede sections of the essay. ". . . from a confusion of shapes the spirit is quickened to new inventions" are Leonardo's words, referring to the stimulus to be found even in the stains of dampness on a wall. Mr. Levy points out that Leonardo "proposed his stain as a source and not an end of inspiration. . . ." He cites as "three challenging prospects for the modern mind," whether of painter, writer or other prober, the effort "to celebrate, to placate, or to re-create the secret parts of the human being. . . ."

He concludes: "The rough and craggy transit of the innovators leads to secrets that disquiet us, because we are introduced to an 'elsewhere' which cannot be described or analyzed by critics, but only recognized by affection. But perhaps because of this, the way of art is never lost in movements and fashions. Forgotten from moment to moment, it is remembered for always."

—EDMUND FULLER

Gorky. By Julien Levy. Harry N. Abrams. 235 pages. $25.

THE WALL STREET JOURNAL.

Published since 1889 by
DOW JONES & COMPANY, INC.

711 WEST MONROE ST., CHICAGO, ILL. 60606
Telephone: (312) 782-9400

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SUBSCRIPTION RATES (Mail) — United States, territories and possessions, and Canada: $28 yearly, six months $15, three months $8; less than three months 15 cents a copy but not more than $8. Other countries: $39 yearly, six months $20.50, three months $10.75; less than three months 20 cents a copy but not more than $10.75. Postage paid.

Subscriptions and Changes of Address should be sent to The Wall Street Journal, 711 West Monroe St., Chicago, Ill. 60606, giving old as well as new address in requesting changes.

NEWS OFFICES: ATLANTA, BOSTON, CHICAGO, CHICOPEE, Mass., CLEVELAND, DALLAS, DETROIT, HIGHLAND, Ill., HONG KONG, LONDON, LOS ANGELES, MONTREAL, NEW YORK, OTTAWA, PALO ALTO, Calif., PARIS, PHILADELPHIA, PITTSBURGH, SAN FRANCISCO, ST. LOUIS, TORONTO, WASHINGTON, D.C., WHITE OAK, Md.

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History in the Making
Editorial Columns
From the People

THE MILWAUKEE JOURNAL

Books of the Week
Music and Theater
The World of Art

Editorial Section — Sunday, May 19, 1968 — Part Five

—Drawing by Richard Kaneiss, a Journal Artist

Wilbur J. Cohen, new secretary of health, education and welfare, heads a complex effort to meet basic human needs

Wilbur Cohen Means Welfare in US

By JOHN W. KOLE, Journal Washington Bureau

WASHINGTON, D. C.—Wilbur J. Cohen leaned back in his chair and threw his feet up on his desk. From that informal and comfortable position, he spoke enthusiastically about his hopes and dreams for the American public welfare system, now under severe attack from both conservatives and liberals.

"The welfare system is the end product of all of the mistakes of our society," he said. "But I don't think we have to dismantle the system. That would be like throwing the baby out with the bath. I think we can improve the system and continue to lift millions of people out of poverty."

Cohen, 54, was sworn in last week as the seventh secretary of the 15 year old department of health, education and welfare, HEW for short. No person could take the job with a better background. For Cohen has been toiling in the public welfare vineyards since the day he left the University of Wisconsin in 1934.

He recognizes that the system must undergo substantial changes, but he feels that many gimmicks have been proposed that would not necessarily

who served as President Kennedy's first welfare secretary but became frustrated with the administrative nightmares of the sprawling department, noted recently that some state medical societies had opposed Cohen's appointment.

"Mr. Cohen has done more to stave off socialized medicine than any man in America," Ribicoff said. "Many distinguished physicians know and understand this. The Arizona medical society has recently voted in favor of Mr. Cohen's designation."

Cohen also had letters of support from at least two officials of the American Medical association. For

In Milwaukee Today

Secretary Cohen is to give the keynote address today at the dedication of the Milwaukee county senior center in Washington park. Some 500 persons from industry and government are expected at the 1:30 p.m. ceremonies.

lation but says it will not be ready before next year.

Cohen declared that a federal study, now being conducted in New Jersey by UW's Institute for Poverty Research, in which poor people actually are under a negative income tax experiment "won't prove one thing." He contended that the subjects of the experiment would not react typically because they knew they were being studied.

Daniel P. Moynihan, the liberal sociologist who once was an assistant secretary of labor, has proposed a "family allowance" and has complained that "government is a disaster at distributing services." Cohen reacted strenuously in political terms.

"I don't know of a single vote in congress that Pat Moynihan controls," he said. "He is not the chairman of the ways and means committee."

Cohen was born June 10, 1913, in Milwaukee. His father, Aaron, 81, still operates a variety store on W. Wells st.

and philosophy of the labor movement as a trail blazer for social legislation."

Since he left UW, he has been associated with virtually every major piece of social welfare legislation that has been enacted in the last 34 years. His only absence from government came from 1956 to 1961 when he was a professor at the University of Michigan. But even there his main contribution was to train graduate students for public welfare careers.

JFK Brain Truster

Never one to shun politics, Cohen joined John F. Kennedy's brain trust in the 1960 campaign and drew up recommendations that he would help push through congress in the next few years. One medical publication has described him as among "the most cooly efficient, pragmatic and persistent innovators Washington has ever seen . . . a man committed to social justice . . . who knows his way through the capital's jungle of politics and bureaucracy."

John W. Gardner, Cohen's predeces-

What Can US Do If Peace Comes?

By JAMES W. McCULLA, of The Journal Staff

THE nation's economists, deeply engaged in a battle to control inflation, have had a refreshingly different worry thrust upon them. As Vietnam negotiators talked in Paris last week, many Americans wondered whether the nation really was ready for peace. Economists now are putting their sophisticated analytical and planning tools to work on such questions as these: If "peace should break out" could a recession and unemployment like that after the Korean war be avoided? Would the inflation problem suddenly give way to one of deflation, or would new inflationary pressures arise as resources were shifted to other national needs? Should wartime taxes be repealed or maintained to support a massive attack on poverty, racial problems and urban ills?

Announcement of North Vietnamese willingness to negotiate buoyed hopes for a larger scale assault on conditions that have caused blood to run and buildings to burn in many American cities.

Martin Talks Crisis

The influential Committee for Economic Development (CED) declared that the "larger part" of federal revenue released by reduced defense spending "should be devoted to alleviating the city, race and poverty problems." Similar sentiment appears to be accumulating rapidly.

President Johnson already has appointed a high level study group to consider post Vietnam priorities and tax policies.

Important as peace preparations are, the intensifying effort to control inflation remains of utmost urgency. Because of inflation and related economic problems, the United States is undergoing its worst financial crisis since 1931," William McChesney Martin, jr., chairman of the federal reserve board, declared recently.

Announcement of the peace talks complicated the job of selling to the public and congress President Johnson's proposed 10% income tax surcharge to control inflation. Economists like Harvard's Otto Eckstein, found themselves arguing that the end of war did not necessarily signal the end of the federal budget crisis or the need for an immediate tax increase.

Eckstein foresaw a continuing American military presence in southeast Asia and continued spending for other military purposes. Economists also pointed to a shift, not a reduction, in federal spending.

port issued in April titled "The National Economy, and the Vietnam War," spending rose at an average annual rate of 7.4% between the start of the build-up and the end of 1967. Output rose only about 4%.

The government, CED charged, was slow to respond to inflationary pressures. Its money and credit restrictions were "of a limited nature and inadequate." It failed to estimate the inflationary impact of the build-up, fell victim to erroneous forecasts that tax increases would not be needed and succumbed to an "excessive tendency to prefer the risks of inflation to the risks of unemployment in the short run."

Now, CED said, America suffers from a rising and unnecessary degree of inflation, a perilous balance of payments situation, a sustained attack on the dollar, a low plant and equipment investment rate, curbs on housing, a growing federal budget deficit and continuing pressures for higher wages and prices.

CED's Prescription

A substantial body of opinion, including CED's, believes that controlling moves, such as tightened credit and restraint on overseas investments, are inadequate. CED recently proposed limiting the money supply growth rate, reducing government expenditures and imposing higher taxes temporarily.

It backs the 10% income tax surcharge because it could be imposed without cumbersome manipulation of the country's complicated tax structure.

CED has recommended, as further countermeasures to the inflationary impact of the war, cuts of about $3 billion in space, agriculture, reclamation, river and harbor and highway programs. However, it gave top priority to programs attacking poverty and urban ills.

Presuming that these moves curbed inflation, what about the postwar period?

"We see no reasons to doubt that the economic readjustment that would

product of all of the mistakes of our society," he said. "But I don't think we have to dismantle the system. That would be like throwing the baby out with the bath. I think we can improve the system and continue to lift millions of people out of poverty."

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He recognizes that the system must undergo substantial changes, but he feels that many gimmicks have been proposed that would not necessarily solve basic problems of poor education, housing and health services. Besides, Cohen says, no federal welfare proposal is any good unless it is enacted by congress.

Pushed Landmark Laws

Cohen's political pragmatism has brought some opposition from liberals who do believe the existing welfare structure has to be torn down. As Cohen was sworn in, the first of thousands of protesters were arriving for the "poor people's campaign" to demand their share in the American dream.

Many of the landmark laws which Cohen has helped push through congress such as medicare and federal aid to elementary and secondary education were once considered far out schemes. Whatever the past achievements, the next few years promise to be some of the most turbulent in the history of American public welfare.

Cohen, of course, may not be in the cabinet to preside over these exciting developments. He has cheerfully referred to himself as a "lame duck" and his confirmation 10 days ago came about six weeks after President Johnson's withdrawal from the 1968 political contest.

However, Cohen enthusiastically endorsed Vice-President Humphrey last month, just a few days before Johnson clamped a prohibition on political activity by top officials in his administration. So if Humphrey makes it all the way, it is probable that Cohen will stay in his job.

If Cohen has received some flak from the left it is nothing compared to the volleys from the right. But only South Carolina's ultraconservative segregationist, Sen. Strom Thurmond, opposed his confirmation on the senate floor. Objecting to HEW's role in promoting school integration, Thurmond denounced "the full scale (race) mixing that obsesses the Washing bureaucracy."

Most senators are impressed by Cohen's long service and the continuing flow of innovations to improve the welfare system. Former Sen. Paul Douglas once paid him the ultimate tribute.

"A social security expert," Douglas said, "is a man with Wilbur Cohen's telephone number."

Sen. Abraham Ribicoff (D-Conn.), "Mr. Cohen has done more to stave off socialized medicine than any man in America," Ribicoff said. "Many distinguished physicians know and understand this. The Arizona medical society has recently voted in favor of Mr. Cohen's designation."

Cohen also had letters of support from at least two officials of the American Medical association. For years before congress enacted medicare in 1965 the AMA fought bitterly against Cohen.

Ribicoff noted that Cohen was by no means limited to social security and welfare, but that he had turned "his innovative talents and boundless energy to the problems of education, mental health, water and air pollution, health manpower, child health and rehabilitation."

The New York TImes praised Cohen's appointment but made it clear that it believed drastic changes were necessary. "Mr. Cohen brings inexhaustible knowledge coupled with freshness of vision and originality of mind," the newspaper commented, "to the quest for roads out of the quagmire that now engulfs the public relief system."

Cohen said in an interview that the booming United States economy certainly had the capacity to lift every person out of poverty. That was not the case when Cohen left Milwaukee in the depression days of 1934. The main problems now, he contended, were how to do the job best.

A Political Realist

By his measure ($3,200 a year for a family of four is the dividing line), 13,000,000 Americans have been removed from poverty during the eight years of the Kennedy-Johnson administration.

But, as he has told many groups in recent speeches, 26 million people still live in poverty, including a third of the nonwhite population.

"The nonwhite unemployment rate is about twice as high as for white," he points out. "Discrimination still exists in hiring and job promotions. The quality of education in most inner city schools is poor.

"Our infant mortality rates are still shockingly high, with infant death rates of nonwhite children nearly double that of white children. Diseases that can be prevented or postponed still take a heavy toll."

Cohen is a member of Johnson's commission on income maintenance which is conducting a broad investigation of schemes which have been offered to replace the present welfare system.

One of the most popular suggestions has been the so-called negative income tax which would offer direct payments to families under certain income levels, but would give them an incentive to work by allowing them to keep a portion of any earnings.

With his sensitive political antennae, Cohen believes it is significant that "no senator or congressman has yet introduced any such plan in bill form." Rep. Melvin R. Laird (Wis.), chairman of the house Republican conference, is working on such legis- permient won't prove one thing." He contended that the subjects of the experiment would not react typically because they knew they were being studied.

Daniel P. Moynihan, the liberal sociologist who once was an assistant secretary of labor, has proposed a "family allowance" and has complained that "government is a disaster at distributing services." Cohen reacted strenuously in political terms.

"I don't know of a single vote in congress that Pat Moynihan controls," he said. "He is not the chairman of the ways and means committee."

Cohen was born June 10, 1913, in Milwaukee. His father, Aaron, 81, still operates a variety store on W. Wells st.

"I was privileged to study at the University of Wisconsin with Professors Alexander Meiklejohn, Edwin Witte, Selig Perlman and John R. Commons, the great teachers who guided me into my life work," he said in a recent speech.

"It was a time when ideas and innovations were flourishing at the university. And the university proudly encouraged its students and its faculty in the 'Wisconsin Idea' of public service.

"There I was nurtured in the wisdom of combining economic policy with the practical interest of understanding and solving social and economic problems. Wisconsin men and women introduced me to the spirit tion was to train graduate students for public welfare careers.

JFK Brain Truster

Never one to shun politics, Cohen joined John F. Kennedy's brain trust in the 1960 campaign and drew up recommendations that he would help push through congress in the next few years. One medical publication has described him as among "the most cooly efficient, pragmatic and persistent innovators Washington has ever seen . . . a man committed to social justice . . . who knows his way through the capital's jungle of politics and bureaucracy."

John W. Gardner, Cohen's predecessor, once suggested, only half in jest, that it was easier for him to get an appointment with the president than with his own undersecretary.

Now that Cohen has the full responsibility for the huge department it doesn't really mean longer hours for the 5 foot 6 inch sparkplug because that would be impossible. For years he has been up at dawn and has worked into the night.

Cohen told The Milwaukee Journal that he believes the federal government should take over the operation of the whole welfare system. That would end the variations among states and inequities which, in Cohen's words, "drive

Turn to page 3

In Milwaukee Today

Secretary Cohen is to give the keynote address today at the dedication of the Milwaukee county senior center in Washington park. Some 500 persons from industry and government are expected at the 1:30 p.m. ceremonies. Admission is by written invitation only. For the county's director of senior and youth centers, Edward J. Berry, it will be a reunion with an old schoolmate, for he was a Lincoln high school student at the same time as Cohen, who was a "big wheel" there: Editor of the Quill, student president, honor society member and manager of the football team.

Announcement of the peace talks complicated the job of selling to the public and congress President Johnson's proposed 10% income tax surcharge to control inflation. Economists like Harvard's Otto Eckstein, found themselves arguing that the end of war did not necessarily signal the end of the federal budget crisis or the need for an immediate tax increase.

Eckstein foresaw a continuing American military presence in southeast Asia and continued spending for other military purposes. Economists also pointed to a shift, not a reduction, in federal spending.

Spending Outran Output

Inflation has not always been cause for alarm. Moderate inflation, in fact, is the companion of good times like those America enjoyed just before the Vietnam buildup.

Vietnam changed this situation. From mid-1965, when the build-up began, military expenditures directly related to the war rose rapidly. Today the rate is more than $25 billion annually and growing.

At the same time spending for other federal programs rose.

Enormous amounts of new money gorged an already lively economy. But there was no corresponding increase in production. According to a CED re- It backs the 10% income tax surcharge because it could be imposed without cumbersome manipulation of the country's complicated tax structure.

CED has recommended, as further countermeasures to the inflationary impact of the war, cuts of about $3 billion in space, agriculture, reclamation, river and harbor and highway programs. However, it gave top priority to programs attacking poverty and urban ills.

Presuming that these moves curbed inflation, what about the postwar period?

"We see no reasons to doubt that the economic readjustment that would accompany reduction of military spending can be effected smoothly, both for the economy as a whole and for particular industries and localities, if available policies are used with reasonable intelligence and vigor," CED declared.

$20 Billion Cutback

The latest federal budget shows that defense spending will consume $78.8 billion in fiscal 1969 with $26.8 billion of it for the Vietnam war.

Assuming that the war ends soon, a defense budget of about $60 billion could be expected by fiscal 1971, CED said. The figure assumes a continued

Turn to page 3

Inside Guide

You can get a good idea of what's in a man's head by taking a peek into his briefcase . . . . . Page 2

A new kind of American policeman is needed to meet today's problems; the old "cop" is obsolete. . . . Page 3

Soviet master spy H. A. R. (Kim) Philby is the subject of four books tracing his treacheries of 30 years. . Page 4

Lincoln Center's troubled acting company sees happier days ahead. Page 5

Bright contemporary art shows open new galleries in the fine arts center of the University of Wisconsin—Milwaukee . . . . . Page 6

Frantic Paris: No Place for Calm Talk

By PENDENNIS, London Observer News Service

PARIS, France – Only the French have ever thought Paris the ideal place for peace talks. As long ago as 1814, Lord Castlereagh, the British foreign secretary, said that "Paris is a bad place for business." The late Sir Harold Nicolson, surveying the shattered fragments of the treaty of Versailles, wrote that "Paris, in any circumstances, is too self-conscious, too insistent, to constitute a favorable site for any congress of peace."

The ghosts of the unfortunate peacemakers of 1919 are stirring here now. The talks are taking place in the vast, drab and ornate former Hotel Majestic, which was where the British delegation was housed in 1919. The French have given the dead and overheated conference rooms a lightning facelift, put down yards of vermilion carpet, installed vanloads of shiny green rubber plants and spiky palms, and hung up a batch of ponderous, 17th century tapestries in an attempt to dignify them.

The Americans this time are again at the Hotel Crillon, where they stayed in 1919. And journalist Walter Lippmann, who was there then on the United States delegation, is on hand again now, still holding forth.

Vietnamese Are Familiar

Had he been here, Sir Harold Nicolson would surely have been confirmed in his view. Students rioting; travelers in the Metro weeping from police tear gas seeping down through the shafts; and 2,000 international communications men swamping the bars in the hotels where the plenipotentiaries are staying—none of this exactly assists in the creation of the calm and privacy that serious peace negotiations demand. The other day the taxis were on strike; next, the postal services; and the telephone lines to the French foreign office have been out of order. Then there was a general strike.

It is the Americans who seem the strangers here. After all, the French and the Vietnamese know each other very well. A senior and respected French diplomat, who has recently visted Hanoi, said that the North Vietnamese prime minister almost has tears in his eyes when he recalls the view of Notre Dame from the windows of the Tour d' Argent, one of the best restaurants in Paris. In the Latin quarter there are two streets with Vietnamese restaurants every few yards.

Thousands of Vietnamese, from north as well as south, live here; several hundred of them greeted the North Vietnamese delegation on its arrival. The principal southeast Asian expert at the French foreign office, a Breton, is jokingly said to speak with a Vietnamese accent. The small, delicate, smiling Vietnamese may seem strange to the Americans and to the British, but they are very familiar to the French.

The American team gives off an air of easy opulence and competence. They have set up a press room in the Crillon hotel, which is the size of a transatlantic liner, and supplied it with neat rows of typewriters and stacks of maps of Paris. A sleek official wearing a white turtleneck sweater hands out press badges with a peased-to-have-you-with-us smile.

The Vietnamese seem less pleased. Callers at No. 2 Rue Leverrier, a quiet house in a comparative backwater, get a cross Asian face behind a wrought-iron grille. This is their Paris legation. The door is not opened; and no one knows anything about the Hanoi delegation's plans.

The delegation itself was desperately badly sited in the Lutetia hotel on the left bank, the riot area. The police were determined to stop any riots spreading across the Seine to the right bank, with the result that at times last week they barred the route from the Lutetia to the talks center.

The man here who gives everyone on the international conference circuit a warm and optimistic feeling is Averell Harriman, the chief American negotiator, even if they are puzzled that the Americans should have chosen, for what is certain to be an exhausting and maybe a protracted negotiation, an old fellow of 76 who does not hear too well.

However, the old fellow has arrived here looking 10 years younger than his age: Lightly tanned, fit looking, with that rangy, concave appearance of the good guy in a western movie; easy and confident, with the pink lozenge of his hearing aid in position behind his left ear.

The reason everyone feels confidence in Harriman is that he has, for over 20 years, maintained a consistent, rational, yet unillusioned attitude towards the Communist world, ever since he was talking in Moscow to Stalin. He is both patient and persistent, with unrivaled experience; and his age has this advantage: That he can conduct this negotiation entirely free from any suspicion of personal political considerations. It is 11 years since he gave up hopes of becoming president himself.

Xuan Is a Dandy

Because of Harriman's age, much of the weight is bound to fall on his No. 2, Cyrus Vance. Vance is a straight, reliable, always intelligent, tough but not nasty lawyer who is by nature a pacifier. He was second in command to McNamara in the Pentagon, so he knows the military. He has a close affinity with President Johnson: Both men work, from deep instinct, with an eye on consensus; and his calm and sympathetic temperament may be very useful to the atmosphere here.

Harriman and Vance fit readily into most people's picture of the United States. But the head peacemaker from North Vietnam, Xuan Thuy (pronounced swan twee), is somehow a total surprise.

His underlings look much as expected: Small, tense, parchment faced men in baggy dark suits, cardigans, and (in one case) open sandals. But Thuy is quite different: He has the air of a Chinese-American gambler who is making a killing out of a string of clipjoints in Las Vegas. He is not at

Turn to page 3

—London Mirror, England

"Marvelous place for peace talks, isn't it, messieurs?"

THE MILWAUKEE JOURNAL
L. W. NIEMAN, FOUNDER, 1882
HARRY J. GRANT, 1916-1963

Published by The Journal Company

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Our Turbulent Students

The student uproar that is rocking universities at home and abroad is often baffling and, therefore, easy to condemn. It deserves sensitive evaluation, not blind wrath and blanket denunciation.

Our student disorders — although they smack of a campus fad — are not in the frivolous panty raid tradition. They are authentic rebellions. Yet it is exaggeration to label them a deadly peril to higher education.

While student activists have more power of disruption than commonly supposed, while preachers of purposeless destruction prowl among them and exploit discontent, only a small fraction of the more than six million students attending more than 2,000 institutions of higher learning are directly involved in any form of insurrection. Moreover, most of the dissidents and most of the besieged institutions seem to be learning lessons that can make other head-on collisions less likely, and beneficial campus reforms more probable.

* * *

It is also important to separate just grievances from ridiculous demands. No university can abide strongarm tactics; when students seize buildings and hold officials hostage as they did at Columbia, they are guilty of anarchy and should expect punishment, not amnesty. But outrage over youthful mobocracy — a tragic sight at any university dedicated to rational resolution of conflict — should not wholly obscure the complaints of demonstrators. Excessive paternalism toward students, the silence of some administrators and faculty members on today's great moral

this makes for biased juries and impairs the guarantee of fair trial by juries that are representative cross sections of the community. High court affirmance of this point would make a so-called "hanging jury" more difficult if not impossible to attain, and death sentences, where juries have a role in sentencing, might be all but eliminated in practice.

Let State Pay Judges

The option for county boards to supplement the basic state salaries of circuit and county judges is a defect that the courts reorganization of 1962 failed to eliminate, even though it conflicts with a principal aim of the reorganization — to assure equal quality of judicial service.

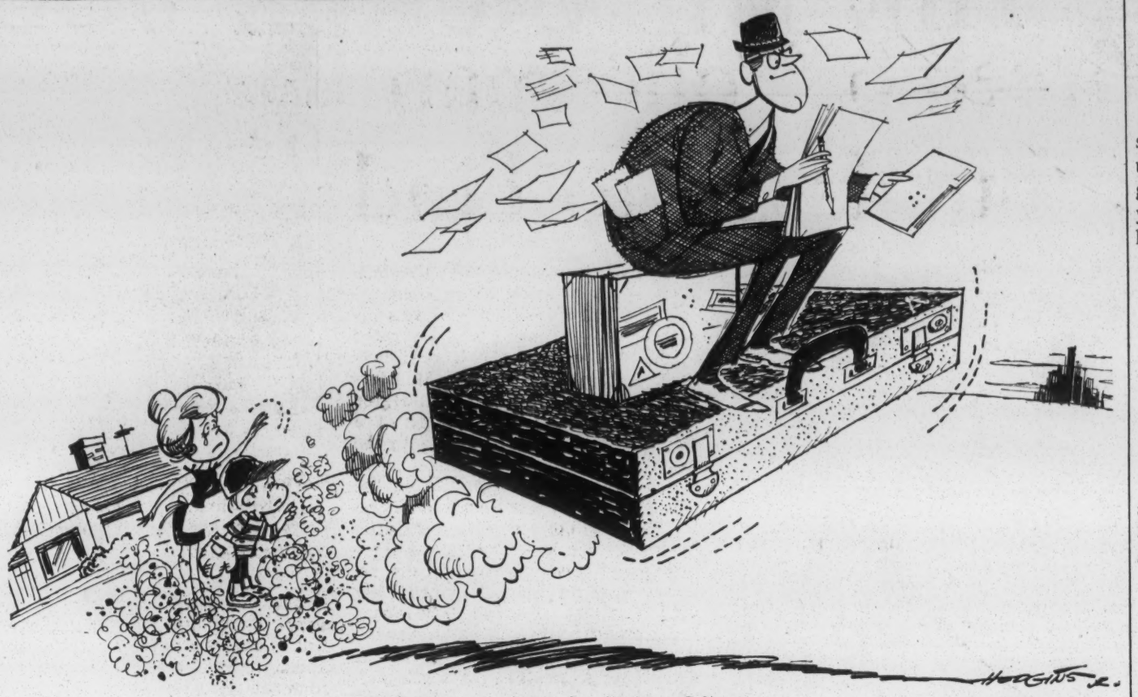
Judges are no longer to be regarded as local officials. All are now subject to direction from the chief justice, through the courts administrator, to hold court anywhere in the state as needed. Many do receive such assignments with regularity.

Of course equal competence does not automatically follow equal pay, but it has to be assumed that unequal pay at least runs the risk of repelling first class aspirants on the lower paid benches, and of disgruntling even the best judges whose colleagues of equal rank may be substantially better paid. With county supplements varying from nothing to $6,500, the inequalities are substantial.

Nor is the courthouse politics aspect to be ignored. It is an obvious source of injustice and friction when one judge may be much better paid than his colleague in the next county just because he is personally more popular among his county board members or politically more skillful in negotiating for his added pay.

While the state is assuming the whole judicial payroll, as it ought to do, it could also correct another shortfall of the reorganization — the retention of two levels of trial courts, mainly because circuit judges then resisted having the county judges equated with them.

The distinction has been fairly lost by now anyway, except for the broader circuit jurisdiction. County judges may be and often are assigned to preside on circuit bench-



Briefcases are places for flights of fancy —AP Drawing

By His Briefcase You Shall Know Him

You Can Get a Good Idea of What's in a Man's Head by What's in His 'Madison Avenue Lunchbox,' Says Writer Who Peeked Into a Few

By SID MOODY of the Associated Press

TO KNOW the inner man ask not of his analyst, his blood type or whether dogs love him. Pry, rather, into his briefcase. There, like bits of bone and pottery in an ancient cave, the true male lies locked away.

The briefcase is merely the boy's pocket grown up, a storehouse, a well bred holster for the fang and claw to carry its owner through the jungle of life.

Come with me to Madison Avenue. Meet an account executive who prefers anonymity but permitted a probe of his attache case — $90, genuine leather, Brooks Bros.

Its contents were business oriented: a copy of Soap and Chemical Digest, a Wall Street Journal, a TV schedule. But there also was a registration for a new outboard boat as well as projected population figures for 1980 in East Hampton where he has a summer home.

Portable Home for Homework

Briefcases are places for dreams.

Consider the briefcase of John Archibald, a vice-president of the Chase Manhattan bank. He is busier with busi-

never knows. He just reads on in hope.

But also in Archibald's briefcase — bought in London, leather "because it lasts longer" — was a deck of cards "in case I get stranded in an airport," an air sickness bag from an airline bearing an old gin rummy score yet to be paid off and a tie clip from a customer "which I don't know what to do with."

Briefcases are for idle hours and idle artifacts.

Carl Tiedemann's briefcase, as is the case with many, is a gift from his wife. "I use it to carry papers back and forth to the office," said Tiedemann, a Wall Street broker. "I may open it only 10% of the time. But I'm always prepared."

Sometimes he packs a tie, razor and clean shirt for overnight trips.

Briefcases are for avoiding baggage delays at airports and for paying smaller tips to bellhops.

Gavin Spofford, president of the Summit-Elizabeth (N. J.) Trust Co. doesn't carry a briefcase at all. "I only take home what I can carry in my breast pocket. When I go to a

customer uses it for," said a discreet salesman who nonetheless allowed that his product was also known as a "Madison Avenue lunchbox." Unjustly, perhaps.

The Samsonite luggage people recently surveyed 10,000 men and found only 2% admitted to carrying food in their briefcases; 10% confessed, however, to carrying spirits from time to time.

Briefcases are for nourishment, more or less.

Food and Drink Found in Briefcase

A lawyer told us that briefcases are repositories for papers that "people wouldn't want left around the desk for peeping toms to read after hours, including things that should have been handled last week."

Briefcases are for guilty consciences.

A Colorado stock broker said he used his briefcase for his credit card wallet since "it's too bulky to carry on my person."

Briefcases are for overflow. Do they signify the go-getter?

Tiedemann: "There may be

Briefcases are symbols, depending on the beholder.

Briefcases are time capsules for the bygone milestones of a man's life.

And Men Laugh at Women's Purses!

A safari through the briefcases of two neighboring colleagues revealed the following:

A letter reporting that a business contact could be located care of his guru at Hanuman temple, Kenchi, PO Bhowali, District Naini Tal, India; directions from a plumber for putting water in the home furnace; "a W-2 form I've been looking for" — this was two weeks after Apr. 15; a picture from a newspaper of Noble Prince ridden by Charles Battazar to victory in the first race at Laurel race course paying $71.10 — "I don't know what that's for"; a bill from Tri-County Florist of Tappan, N. Y., for 15 red roses "That's from the last baby . . ." pause. . . . "No it's not. — That was the last anniversary, that's what it was"; and a yellow page torn from a phone book containing a listing of the restaurants in Wilmington, Del

Briefcases can be embarrassment.

Archibald once had his pop

Wisconsin Notes

Quite a number of Elkhorn kids go to school carrying bags that look like executive briefcases, so when our curiosity got the best of us, we asked one of our young acquaintances to show what he had inside. Comic books.

—Claude Eames, in the Elkhorn Independent.

* * *

Up north near New London there's a recreation area called Mosquito Hill park. Aren't they all?

—Fred Noer, in the Sharon Reporter.

* * *

After your allowance stops and before social security begins there comes that awkward time in life when you have to support yourself.

—Paul Mueller, in the West Bend News.

* * *

No man is really old until his mother stops worrying about him.

—Earl Mathes, in the Kiel Record.

* * *

The man who pokes fun at a woman trying to drive through a 12 foot garage door usually has a more serious look on his face when he tries to thread a needle.

—The Spooner Advocate.

* * *

The garden pest is here. While our back plot remains unspaded, he enthusiastically reports that his lettuce is up.

—Lois Pflughoeft, in the Algoma Record-Herald.

* * *

A certain number of vacant stores is essential to the democratic process. They're perfect for political headquarters.

—Chan Harris, in the Door County Advocate, Sturgeon Bay.

* * *

Remember when you bought a suit of clothes and the clerk always asked you which you wanted as a present, a pair of suspenders or a necktie?

—The Marion Advertiser.

* * *

Nowadays the rising generation is retiring about the same time the retiring generation is rising.

—Bart, in the Oconomowoc Enterprise.

* * *

A dollar may not go as far as it did some years back, but you'll have to admit, it goes a lot faster.

—Jeanne Hill, in the Dousman Index.

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According to statistics, the average family's trouble lies in the fact that it's in the middle-income, upper-outgo group.

—Bob Stanley, in the Columbus Journal-Republican.

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mands. No university can abide strongarm tactics; when students seize buildings and hold officials hostage as they did at Columbia, they are guilty of anarchy and should expect punishment, not amnesty. But outrage over youthful mobocracy — a tragic sight at any university dedicated to rational resolution of conflict — should not wholly obscure the complaints of demonstrators. Excessive paternalism toward students, the silence of some administrators and faculty members on today's great moral issues, the impersonal nature of mammoth institutions, remote professors too preoccupied with research to teach or counsel — these and other sore points have been validly raised and need to be dealt with honestly.

Students of course should not run universities, setting curriculum, hiring and firing personnel. But they deserve an effective voice in shaping campus rules and general policies. Too frequently this has been coldly denied.

* * *

Much has been written about "alienated" college youth turning from the values of their parents. In some respects this is so. These middle class children of affluence are often contemptuous of materialism and the adult world of business and politics. They detect artificiality and hypocrisy.

Yet there is much in today's protests that indicates students aren't rejecting the older generation's deeper values, but rather are feverishly prodding it to make good on lofty pronouncements. Most university activists, for example, are not scrapping the idea that all men should have equal opportunity; they are demanding swift fulfillment — with the university serving as the cutting edge of change.

This challenges the old notion of a university as an enclave of scholars sheltered from the hurly-burly of the outside world. But alert administrators can meet the challenge, and cut the ground from under revolutionaries, by clearing clogged lines of campus communication, cultivating mutual respect and supporting reasonable reforms before, not after, they face uprisings.

Hanging Juries

The United States supreme court has an opportunity to strike another blow at capital punishment, which Wisconsin wisely abolished 115 years ago. Cases under advisement do not directly raise the question whether capital punishment in itself is "cruel and unusual" and therefore in violation of the eighth amendment. But they do challenge the usual practice, in possible death sentence cases, of systematically excluding persons from juries who have personal scruples against capital punishment.

The defense argument is that for his added pay.

While the state is assuming the whole judicial payroll, as it ought to do, it could also correct another shortfall of the reorganization — the retention of two levels of trial courts, mainly because circuit judges then resisted having the county judges equated with them.

The distinction has been fairly lost by now anyway, except for the broader circuit jurisdiction. County judges may be and often are assigned to preside on circuit benches. The move to a one trial court system, with all judges paid alike, might come more readily now.

That Korean Casualty Story

One of the undocumented assertions making the rounds is that American casualties were greater after Korean peace negotiations began than before. This is supposed to have some relevance to any peace talks about Vietnam, which it hasn't. Anyhow, the assertion is false. The facts, according to defense department records, are these:

From June 25, 1950, through July 12, 1951, two days after Korean negotiations started at Panmunjom, 20,929 Americans were killed or died in prison camps and 53,784 were wounded. From July 13, 1951, through July 27, 1953, when the Korean armistice was finally signed, 12,700 were killed or died and 49,500 were wounded.

Demeaning Welfare System

Critics of America's $8 billion a year public welfare system waste too much time bemoaning its cost. A nation that spends as much on pet food as it does on food stamps for the poor can hardly contend it is overburdened by relief recipients. The proper target is the system's shockingly bad results.

These defects were sadly summarized the other day by a dozen prominent industrialists and financiers in a report to New York Gov. Rockefeller. They said the system is "demeaning, inefficient, inadequate, and has so many disincentives built into it that it encourages continued dependency."

The executives, probing for a better way to guarantee a decent living to anyone unable to earn one, proposed establishment of a "negative income tax." In effect, this means direct cash payments to poverty level families that would taper off as earning power increased. The hope is to stimulate self-respect and, in turn, self-improvement.

The New York report is another sign of the plan's widening appeal among liberal and conservative alike. It is not the only idea for reforming the welfare structure, but by zeroing in on the red tape and regulations that perpetuate pauperism, the negative income tax is emerging as one of the most promising.

Chemical Digest, a Wall Street Journal, a TV schedule. But there also was a registration for a new outboard boat as well as projected population figures for 1980 in East Hampton where he has a summer home.

Portable Home for Homework

Briefcases are places for dreams.

Consider the briefcase of John Archibald, a vice-president of the Chase Manhattan bank. It is bulging with business reading matter.

"There has been a tremendous proliferation of reading in business," says Archibald, who spends an hour a day reading business reports at home to keep up with developments in industry, foreign trade, tax decisions, in the business schools, in trade magazines. Maybe some day it will come in handy Maybe never. The busy businessman carry papers back and forth to the office," said Tiedemann, a Wall Street broker. "I may open it only 10% of the time. But I'm always prepared."

Sometimes he packs a tie, razor and clean shirt for overnight trips.

Briefcases are for avoiding baggage delays at airports and for paying smaller tips to bellhops.

Gavin Spofford, president of the Summit-Elizabeth (N. J.) Trust Co. doesn't carry a briefcase at all. "I only take home what I can carry in my breast pocket. When I go to a meeting out of town, I let an assistant carry the junk."

Briefcases indicate status, but not at the top.

Well, there are exceptions. A Fifth Avenue leather specialty store has a trim attache case in alligator with gold plated clasps for $1,800. Would a man carry a sandwich and thermos in such elegance?

"We never ask what the cases are repositories for papers that "people wouldn't want left around the desk for peeping toms to read after hours, including things that should have been handled last week."

Briefcases are for guilty consciences.

A Colorado stock broker said he used his briefcase for his credit card wallet since "it's too bulky to carry on my person."

Briefcases are for overflow.

Do they signify the go-getter?

Tiedemann: "There may be a little imagery. You walk out of the office and people think there goes a busy man.' "

'But Spofford, who with most of us has lived to see the man in the gray flannel suit of the 1950s hardpressed by the man in the Mao jacket and turtle neck of the '60s; says: "Certain guys try to make an impression right out of 'How to Succeed in Business Without Really Trying.' "

per of Noble Prince ridden by Charles Battazar to victory in the first race at Laurel race course paying $71.10 — "I don't know what that's for"; a bill from Tri-County Florist of Tappan, N. Y., for 15 red roses "That's from the last baby . . ." pause. . . . "No it's not. — That was the last anniversary, that's what it was"; and a yellow page torn from a phone book containing a listing of the restaurants in Wilmington, Del

Briefcases can be embarrassment.

Archibald once had his pop open while walking between cars on the 7:22, and he had to spend the morning walking up and down the tracks retrieving his homework.

And briefcases can be lifesavers.

An ad friend once used his to fight off two muggers outside a Manhattan jazz joint.

In brief, a briefcase is no more, and no less, than the man who carries it.

generation is rising.

—*Bart,*
in the Oconomowoc Enterprise.

* * *

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—*Jeanne Hill,*
in the Dousman Index.

* * *

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—*Bob Stanley,*
in the Columbus Journal-Republican.

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By the time you're old enough to appreciate an afternoon nap, you're too busy to take one.

—*Sam,*
in the Reedsburg Times-Press.

* * *

I think all the graduation speakers in the country would be well advised to refrain from frightening the graduates half to death by telling them the world is theirs.

—*Ed Liska,*
in the Chilton Times-Journal.

From the People

Letters must include name and address, not necessarily for publication but as evidence of good faith. They must be kept as short as possible; the editors reserve the right to trim lengthy letters.

'Mayor With Courage'

To The Journal: I say, "Hats off to a courageous mayor." This letter is in answer to D. J. Bruckner's article in your Sunday Journal of Apr. 21 on Mayor Daley of Chicago. The article says Daley's "kill" order hurt him as a leader. Bruckner refers to Mayor Daley as "blowing his cool."

Just how much is any man expected or supposed to stand, when he has the health and safety of several million people under his jurisdiction? I think many people were pleased and happy to see

that finally a prominent politician is for curbing riots, looting and vandalism.

Lawyers and judges seem to be taking the part of the criminal, more and more. Here is Mayor Daley, a man governing a city that has had two holocausts of fire, several large individual fires, looting and burning last summer. The mayor has his people at heart. Is he not allowed righteous anger?

Jesus in fury turned over the tables of the money changers. Moses cast down his tablets and broke them. He took the golden calf and ground it to powder. Even God in His anger sent serpents and plagues to punish people.

When you take righteous anger from a man, you have a vegetable. And certainly Mayor Daley, in a plan for the protection of millions of innocent people, has a right to punish severely a few malcontents.

How quickly some of the leaders were ready to leave Chicago! Dick Gregory for one. He said, "I will leave here and try to get the Democratic convention moved to a more favorable city." Did he mean a city more favorable to lawlessness?

Later in his article, Mr. Bruckner admits certain pressures: A plan to move the Democratic convention. Insurance companies refusing to insure. Bankers worried. Loop merchants complaining. Communication companies asking for a crackdown.

These things are the heart and blood of the city. If all these demand help from the mayor, certainly no man could do less. LEE ADRIAN.

Crivitz, Wis.

Roads Without Trees

To The Journal: I was so happy to read your article on action to preserve our scenic roads. How right you are. This has been a pet peeve of mine for many years.

I live in Dodge county and last Sunday my husband and I went for a drive. It is disgusting to see that every road, those that go somewhere and those that go nowhere, has had every tree chopped down. Necessary or not, every tree is gone.

What is the reason for this? Is this supposed to protect the driver? I note that this year our highway traffic fatalities are headed for an all-time high. How can this be with our beautiful straight roads?

I have never seen our highway department plant a tree. Yet I note that our parks and waysides are covered with dead elms. Even our road that goes only to the garbage grounds has had every tree and shrub removed. Why? I wonder.

MRS. PHILIP BACHHUBER, JR.
920 Dayton st., Mayville, Wis.

A Feigned Respect?

To The Journal: Psychiatrist Durward Baker stated in this column that self-respect cannot originate as the result of self motivated actions. It is, he said, in effect a gift received when one somehow senses "respect emanating from others."

But if a man cannot choose to earn self-respect through rational thinking and actions, how can others choose to act as though they respect him? Does free will mysteriously exist only for some? The answer is that we all possess the ability to choose to think or not to think; to act or not to act. Moreover, since the emotion, respect, is an automatic response to a value judgment, we are not able to turn it on and off at whim — or the suggestion of psychiatrists. We can extend it only to men whom we perceive to have the qualities we admire. To do other than that, we must lie.

Perhaps Dr. Baker would have us feign respect by lying to ourselves and others in an attempt to build an atmosphere of pseudorespect, to which we can all tune in and thereby hope to gain real esteem of selves and others.

Accordingly, if we see a man acting immorally and illegally, endangering his own life and the lives of others, we must not condemn him but must ignore the evil and pretend admiration for the man, so that he can gain "self-respect" from our attitudes toward him! To lend sanction to evil actions in this manner would be immoral, a farce and a fraud. It is exactly this kind of attempt to fake reality that leads to the mental diseases Dr. Baker is employed to eradicate.

The only way to achieve self-esteem, necessary for happiness, is by giving oneself a reason why one should be esteemed. The formulation of moral, rational goals or values, and learning to use one's mind to deal capably with reality, are essentials. These are individual actions, totally independent of the men around us. If we perform them, we gain self-respect, even if ostracized by the whole of society. If we do not, other men cannot give us a sense of personal worth. And we can only fake it.

EDNA WOLFGRAM.
2177 N. 40th st., Milwaukee.

Johnson and Taxes

To The Journal: The biggest mistake the Johnson administration makes is "business as usual," even though we have a costly war on our hands. Tax loopholes remain open. Oil millionaires are still "taken care of." Capital gain obviates the principle of fair sharing of burdens. Yet the common man is supposed to hold still for a tax surcharge! The whole idea is repugnant to the thinking citizen.

ROBERT HOLDORF.
4929-A N. Green Bay av., Milwaukee.

Summer Jobs—Scholarships

To The Journal: The demand by Marquette students for 100 new scholarships for Negro students is noble and generous.

However, I understand that every dollar MU receives from private donation is already thinly spread to meet other worthy objects. Furthermore, it would be manifestly unjust to dun the already burdened parents of these students to make additional donations for scholarships. These parents over the years have made many sacrifices and foregone many pleasures just to be able to send their own children to school.

As a practical solution, why don't the students most dedicated to the scholarship idea take summer jobs and donate their earnings to a scholarship fund to be set up in their name by the university? If all who participated in the demonstrations also turned out for these summer jobs, a tremendous sum would be raised. Perhaps, any members of the clergy could be excused from their regular duties by the bishop to enable them also to take summer jobs.

In this way, the demands would be met, the parents would be relieved of additional financial burdens and the sense of dedication to moral commitments would be greatly strengthened.

As a side benefit, the students would learn a practical lesson in the relationship between money and labor which would enhance their appreciation of their parents' efforts.

THOMAS F. KIRBY.
6434 Betsy Ross pl., Wauwatosa, Wis.

Life Vests, Coast Guard

To The Journal: Your editorial suggesting wider use of life preservers overlooked the basic problem. It is that the approved life preservers are uncomfortable and restrictive. And therefore they are not worn.

Most Lake Michigan racing sailors have "legal" preservers aboard but wear comfortable jackets which are not "approved" since they do not hold your head above water if unconscious.

We respect the law and the lake but we need something we can work in. An alternative is to wear an inflatable vest,

which is unapproved but used by navy pilots. As long as the authorities approve only "cushions" (ever try to wear one?) or horse collar preservers there will be little use.

How much better it would be to approve the vest and gain greater use. The vest may not be the complete answer if unconscious but it is much better than nothing.

Preachments will not change the attitude of the people but possibly a little urging from you would cause the coast guard to approve vests which have been proven acceptable and are worn quite readily.

This approach could reduce boating drownings dramatically over the present situation where the approved device is usually stowed out of sight and mind.

BAYARD H. MICHAEL.
8033 N. Links way, Milwaukee.

A New Breed of Policeman Needed but Hard to Find

By BERNARD GAVZER, Associated Press

AMONG the jobs with awesome responsibility, include that of the American policeman. He has the power and authority to kill. But it is not because of this alone that he is caught in the center of one of his greatest crises: His own reshaping. The pressures for a "new cop" have come from court decisions dealing with arrest procedures; from social turmoil demanding new relations between the policeman and the community he serves; from the increase in crime and the demands for new methods to combat it. And they have come, lastly, from law enforcement agencies themselves, where rumblings for a higher professionalism and higher standards have long been heard.

All in all the pressures have meant that a new policeman was needed; a more professional policeman, a more intelligent policeman, a better educated, and better trained policeman.

But, the need produced another crisis: The inability to attract the right kind of man. First there has been the competition from other — and better paying — professions. And, even more importantly, there has been the unwillingness of men to become policemen because of the public's poor image of the profession.

The problem has been intensified both by the old chestnut jokes about the "dumb cop" and by the more contemporary charges of "police brutality," voiced particularly by militants in the civil rights struggle.

The result has been a serious manpower shortage.

Right now, there is one law enforcement officer for each 484 persons in the nation. Municipal police number 369,000 and state and other police, 44,000.

On the basis of authorized strength, there are 11,864 police jobs reported going begging in 313 police departments questioned in one survey.

Bodies alone are not the answer, because it no longer makes sense to put a uniform on a big strong boy and send him into the street.

Something Dehumanizing

The candidate has to be able to understand and respond to requirements and rules set down because of United States supreme court decisions. If he seeks to enter a department such as the one at Sausalito, Calif., he has to undergo a psychiatric examination to determine his emotional health in terms of police work.

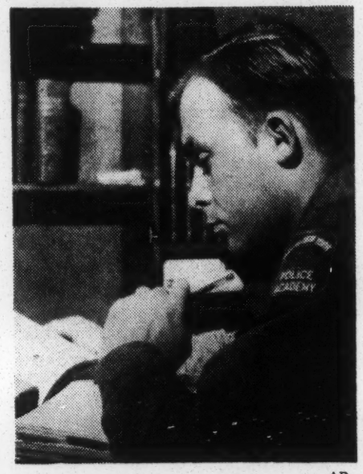
Because of the quality of men sought, police recruiters must compete with industry. All sorts of hard-sell techniques are being applied, ranging from paid higher education to promises of being part of a profession that aims at being as respected as the law or medicine.

Says one New York policeman:

"I've been on the force 14 months and it is real boss, as they say. As a more complex. We see civil disorders in our streets that degenerate into wholesale destruction, killing and looting.

"At this point in time we are requiring our patrolmen with only high school level academic background to function wisely and instantaneously in a sociological environment that engages the cloistered deliberations of sociologists, legislators and judges."

The innovations were stimulated in the post-World War II period as academicians in police science and in law



—AP

Police training, new style: Study of law, psychology and other courses at university level are part of becoming a member of some police forces today.

began taking a critical look at the nation's system of criminal justice. They claimed they saw the policeman becoming a law unto himself.

"This situation had to be redressed," says Sol Rubin, legal expert with the National Council on Crime and Delinquency. "If the supreme court had not begun to preserve the constitutional rights of suspects and defendants, there could have been grave consequences. We were heading for a police state — or for bloody confrontations between the police and the ghetto and lower class individual who is most often in conflict with police."

To many police, the high court deciuring out how to cope with the decisions — or how to get around them.

In the handful of United States departments which have been top rated by police experts — New York, Chicago, Los Angeles, Cincinnati, St. Louis and Oakland, Calif. — the high degree of professionalism ordained that a way would be found to live with the rules.

"This placed new demands on the policeman and the police administrator," says St. Louis Police Chief Curtis Brostron. "We knew we'd need a policeman who was intelligent and resourceful and self-disciplined. We knew also that there had to be closer and more effective command supervision. We knew that training was a key. We've found that the court decisions haven't hurt us."

How does the impact of the high court decision reach the patrolman? In some cases, it filters down. But in St. Louis, for example, members of the mobile reserve — which is the elite aggressive patrol unit — get a rundown that amounts to a college course.

Capt. John Walsh, St. Louis homicide chief, says "the supreme court decisions have actually helped us. I think we're better and that we make better cases. In the past, we had to count on the confession to make a case."

Effect on Confessions

Top Yale law school students conducted an 11 week study of 127 police interrogations in New Haven, Conn., in relation to the effect of court decisions. Only one-fourth of the suspects — 31 — were warned about their full rights, and 21 of them gave full confessions after being warned. On the other hand, among those who were not warned, there were no confessions.

University of Michigan sociologists studied street interrogations in high crime areas in Chicago, Boston and Washington, D. C. In these settings, they said, the police always had evidence apart from the interrogation itself as a basis for arrest. Voluntary admissions were substantially more frequent than were admissions following interrogation.

A National League of Cities survey of 284 police departments found that only 17% thought that crime prevention and law enforcement could be helped by remaking recent court decisions.

In one deep south department — Birmingham, Ala. — Mayor George G. Seibels, jr., a Republican, is spearheading a reshaping of the police department. One of his key men in the department is Lt. J. C. Parsons, a 33 year old Alabaman, who heads the first active planning and research di-

—By a Journal Artist

What was called the Soviet bloc is dwindling. The shaded countries are no longer dependable Russian allies.

dynamic situation with very few answers ready made. His limited education makes it extremely difficult to adjust to his rapidly changing environment. His relationship with citizens, especially Negroes, is strained to say the least. The young recruit's training, for the most part, is provided by older officers who themselves are products of a past era with a different philosophy and a different set of values."

Parsons is convinced change is coming to the South. "You give us four years," he says, "and we'll show you the best department in the South."

The professionalization of police work has as its objective the raising of the policeman to the status of the teacher, doctor and lawyer.

Theoretically, this can be achieved by raising educational standards, improving police training, extending training periods, improving police management, organization and operations — and salary scales.

Many in College Courses

Higher education for policemen is getting more attention in police life. The National League of Cities study showed that 155 of 279 police agencies had 4,482 officers attending local colleges or universities.

While one survey showed that police administration was the major subject, almost as many studied psychology, with sociology and law close behind.

"The policeman belongs in the mainstream of American life," says St. Louis chief Brostron, "and to be there he needs to know more than the usual police skills."

What will the policeman of the future be like?

Answers Birmingham's Lt. Parsons: "You might say that he'll be a top individual with a college liberal arts education, drawing a pay of $12,000 to $15,000 a year. Less skilled employes will handle regulation of noncriminal conduct — traffic violations, burning trash and violating regulatory codes.

"The professional policeman will be the eyes and ears of the community

East Europe Drama Rises: Enter Russia, Stage Right

By MARK W. HOPKINS of The Journal Staff

THE art of politics and diplomacy in eastern Europe seemed last week to be a psychedelic creation in which audience participants moved amidst unusual forms and flashing strobe lights. But Czechoslovakia, the focus and cause of the whole phenomenon, also obviously was up against a strong traditionalist school of thought that tended toward well ordered and disciplined landscapes. Certainly the leader of socialist realism, in contrast to Czechoslovakia's experimental politics, is the Soviet Union. And what is happening now is an adjustment to new forms, which projected broadly into the future would redesign the mosaic of European relations.

That Soviet leaders are acutely sensitive to the changing scene was underscored Friday, when Premier Alexei Kosygin arrived in Prague, officially for medical treatment. Shortly before, Soviet Defense Minister Andrei Grechko flew in to talk with the Czechoslovak military. If there were small signs of conciliation in these visits, it was apparent that Czechoslovakia's liberalization had generated hostility.

The resistance of the old school was most dramatically, if not convincingly, suggested 10 days ago when Soviet troops rumbled south of Cracow, Poland, toward the Czechoslovak border. The consensus is that Prague survived a crisis in that flash of Clausewitz diplomacy. But its magnitude and intensity are difficult to measure.

The chief imponderable is the weight to give the irrationality factor in Soviet political decisions. Moscow indisputably has the divisions. One tank division of 9,000 men and a motorized rifle division of 10,500 are posted in Poland. Twenty more are in East Germany, and four in Hungary. And in the aftermath of "maneuvers" in Poland, there was a hint that other troops from western Russia had been brought in.

Though the intimidation value of Soviet war games is evident, the question is whether Soviet leaders would out of emotion re-enact Hungary in a Czechoslovak setting in 1968.

Direct military intervention against Communist party leader Alexander Dubcek's liberal regime registers as irrational on the scale of self-interest.

The probable consequences for the Soviet Union — new fear in western Europe of Soviet military threat, fresh anti-Soviet feeling in eastern Europe, a blatant denial of the civilized, peaceful country image that Moscow wants to project — are all bad, except that minority conservatives would hold power again in Prague.

A Dual Policy

If military force is Moscow's last trump card, held for the desperate situation or played at the illogical moment, the Soviet Union now seems to follow a dual policy toward Czechoslovakia.

The compromise course probably was mapped in conferences in the last

by the democratic sway in Czechoslovakia, the population as a whole does not seem to have reached that psychological point where the political bureaucracy must reform rapidly or face the impassioned populace.

But the effect of Prague's reform on foreign policy poses a contagion that Soviet leaders may not so easily manage.

Last week, Cernik appeared before Czechoslovak and foreign correspondents to announce a program that included greater trade with western countries, an invitation to foreign capital, and a suggestion that the Czechoslovak economy would be geared as much to western as to Comecon markets.

With one-third of Czechoslovak trade now tied to the Soviet Union, and nearly two-thirds to Comecon generally, the program could evolve only slowly. Yet, the necessary condition is autonomy in Czechoslovak economic and political negotiations with western Europe and the United States.

De Gaulle in Rumania

What such national independence portends was underscored in two separate events last week. The foreign minister of Yugoslavia, where Titoism was born, arrived in Prague and promptly and publicly lauded Czechoslovakia's reform as a path breaking event.

Almost next door, two other practitioners of national autonomy, France's President Charles de Gaulle and Rumania's Nicolae Ceausescu, agreed that no European nation should be dominated by policies of the great powers.

For the Soviet Union, the pattern was one of a suballiance, based on common interest, emerging between Yugoslavia, Rumania and Czechoslovakia, and encouraged by their counterpart in western Europe, France.

It seems true, at least, that of the former eight east European satellites, the Soviet Union now counts only

the one at Salisbury, Conn., he has to undergo a psychiatric examination to determine his emotional health in terms of police work.

Because of the quality of men sought, police recruiters must compete with industry. All sorts of hard-sell techniques are being applied, ranging from paid higher education to promises of being part of a profession that aims at being as respected as the law or medicine.

Says one New York policeman:

"I've been on the force 14 months and it is real boss, as they say. As a Negro, where could I do more to help shape society than as a policeman? I can steer a kid into an honest life and I can take a thief and remove him before he can infect an honest kid. That is something."

But in Miami, a detective with 22 years behind him confessed:

"There is something dehumanizing about it. I think I'm a real pro. But being a pro means being immune and desensitized to human frailty. You're always suspicious."

There was a time when all a man needed to get on the force was a political connection or a police department sponsor; sufficient height, and being white. There are still plenty of departments where it takes little more — a high school diploma or its equivalent — especially in those departments which have starting salaries of $4,000 or less a year.

"You would be sworn in at 11 a.m. and you'd get a badge and a gun and cuffs and be on the street that night, pounding a beat with an oldtimer," says a Kansas City veteran.

Now? Says Quinn Tamm, executive director of the International Association of Chiefs of Police:

"Until the last few years the problems that concerned us were relatively simple. The standards of social conduct were fairly clear cut.

"Now the situation is infinitely

"This situation had to be redressed," says Sol Rubin, legal expert with the National Council on Crime and Delinquency. "If the supreme court had not begun to preserve the constitutional rights of suspects and defendants, there could have been grave consequences. We were heading for a police state — or for bloody confrontations between the police and the ghetto and lower class individual who is most often in conflict with police."

To many police, the high court decisions setting rules for detention of suspects, right to counsel, and limits to interrogation and admission of confessions, amounted to calamity.

Live With the Rules

Model laws have been proposed, and the Council of Judges of the National Council on Crime and Delinquency has proposed specific ways to make legal arrests and interrogations, but for the most part it has been a case of municipal agencies simply fighting interrogation.

A National League of Cities survey of 284 police departments found that only 17% thought that crime prevention and law enforcement could be helped by remaking recent court decisions.

In one deep south department — Birmingham, Ala. — Mayor George G. Seibels, jr., a Republican, is spearheading a reshaping of the police department. One of his key men in the department is Lt. J. C. Parsons, a 33 year old Alabaman, who heads the first active planning and research division in the department. In describing a scheme for police operations in a model cities program for Birmingham's Ensley ghetto district, Parsons states:

"The selection process ordinarily used to recruit police officers is inherently dangerous. First, a young man with a high school diploma is selected and placed in a position of authority. This immaturity coupled with power is always potentially dangerous.

"The young recruit is forced into a there he needs to know more than the usual police skills."

What will the policeman of the future be like?

Answers Birmingham's Lt. Parsons:

"You might say that he'll be a top individual with a college liberal arts education, drawing a pay of $12,000 to $15,000 a year. Less skilled employes will handle regulation of noncriminal conduct — traffic violations, burning trash and violating regulatory codes.

"The professional policeman will be the eyes and ears of the community. He will recognize and identify complex social problems, define them, isolate them and refer them to other community services.

"If this will make him remote from people, then he'll have to get close to them through other techniques and skills. He will be a true policeman, preventing crime and apprehending criminals.

"We'll make that policeman through selection and through training."

Paris: Mobs, Men and Mood

From page 1

all a suitable-looking hero of the vociferous, wild-eyed Dutschkes and Tariq Alis, the partisans of the North Vietnamese in the west.

He is beautifully groomed: He wears a much lighter and much better suit than his subordinates: Grey tie, gleaming white shirt with flashing cuffs and large rectangular gold cufflinks. He greets people easily with a wide smile and waves to crowds and television cameras as if he loved every minute of it.

Somehow his appearance and manner are reassuring. He certainly does not look like a fanatic. The French press, detailing his revolutionary career, say, with their tendency to romanticize revolutionaries, that he is also a poet. It is hard to imagine him as a colleague of the ascetic and dedicated Ho Chi Minh.

These main combatants and their attenders are ringed meanwhile by a circle of bystanders—French, British, Australian, NLF Vietnamese, South Vietnamese—like people watching a street fight and uncertain whether or not to join in.

The Russians here are almost invisible. So are the Chinese, though two of them were seen, in their black Mao-type tunics, walking smiling down the Champs Elysees in a hailstorm.

The British are not the only ones with ironic memories of the past in this city. Fifty years ago Ho Chi Minh had been living in Paris for a year, working as a retoucher of photographs and already, aged 27, beginning to emerge as a revolutionary leader.

When the peace conference of 1919 started, inspired by President Wilson's 14 points and the fashionable idea of self-determination, he went to Versailles and presented the conference secretariat with his own eight points for the emancipation of his country.

These demands seem amazingly moderate in retrospect. All Ho asked for was representation in the French parliament, and basic civil liberties—freedom of the press, equality before the law. He tried hard to plead his case before President Wilson himself. But Wilson would not see him. Having since fought and won a war against the French, Ho now, half a century later, has not only another American president but most of the world watching his men in Paris and listening.

a bratant denial of the civilized, peaceful country image that Moscow wants to project — are all bad, except that minority conservatives would hold power again in Prague.

A Dual Policy

If military force is Moscow's last trump card, held for the desperate situation or played at the illogical moment, the Soviet Union now seems to follow a dual policy toward Czechoslovakia.

The compromise course probably was mapped in conferences in the last two weeks. Dubcek and Czechoslovak Premier Oldrich Cernik traveled to Moscow on May 4 for what turned out to be a "frank" exchange of views with Soviet leaders. Then, on May 8, a second hastily arranged meeting brought in East Germany's Walter Ulbricht, Poland's Wladyslaw Gomulka, Bulgaria's Todor Zhivkov and Hungary's Janos Kadar.

The result, judging from last week's events, was twofold. The Soviet Union is showing a limited tolerance of Czechoslovakia's "democratization." But the price is Prague's assurances that it will not break from the Warsaw military pact or the Comecon economic alliance.

If indeed this was the private bargain — as evidenced by statements on both sides and convening of a Comecon session last week — the observable relations are far from placid.

The Soviet press denounced Thomas Masaryk, founder of the Czechoslovak republic and national hero, as an "absolute scoundrel." Although clearly a retort to Czechoslovakia's dredging up of Soviet secret police involvement in the country's purge trials in the 1950s, the Prague press continued to reveal more of the lurid details last week.

Beyond these polemics over the past, Czechoslovakia has exchanged bitter comments with both Poland and East Germany, mostly over the latters' biased reporting of the Dubcek reform.

Czechoslovakia's strictly internal liberalization is probably the secondary issue, at least to Moscow. Although the Soviet Union has its own dissenting liberals who are nourished

former eight east European satellites, the Soviet Union now counts only

—Mauldin, Chicago Sun-Times

"Our Czechs have bounced"

four loyalists — East Germany, Poland, Bulgaria and Hungary — about in that order. And even Hungary is verging on the doubtful, to the extent that Janos Kadar also has praised the Czechoslovak liberalization.

Prague's intention to cater more to the west springs in good part from internal economics. Its need for capital and technology is simultaneously a political quandary.

Czechoslovakia reportedly has asked the Soviet Union for a $400 million hard currency loan, much or all of which would be spent outside Comecon. Moscow has not yet responded. But it is evident that the Soviet Union can employ economic devices at least to keep Czechoslovakia from defecting entirely.

What seems difficult, if not impossible for the Soviet Union now is to turn back the Czechoslovak reform. For the moment at least, Moscow is trying to minimize the impact, and make the best of a bad bump on the east European road to Moscow style socialism.

The Will for US Welfare

From page 1

people from states with low payments to those with high standards."

This notion certainly will draw fire from conservatives as another invasion of states' rights, but Cohen is accustomed to that kind of reaction to his proposals.

He has suggested the possibility of a payroll tax to finance some of the public welfare burden because the social security system has been widely accepted and there is no stigma.

"This is the crux of the issue," he has said. "Why the hell should I pay some 35 year old guy with a wife and two kids just to sit on his front porch? You don't mind paying welfare to a 75 year old disabled guy.

Psychological Barrier

"I don't think it is a case of money today — it is the psychological barrier. Now we don't have this feeling about social security. That's because you pay for it through payroll taxes —you're getting something you pay for. Maybe we could expand social security to cover part of welfare and pay more payroll taxes—both the employer and employee."

Howard Samuels, under secretary of commerce, has suggested in several speeches that Americans must give up some of their luxuries to finance solutions to the urban crisis and other problems.

"We spend as much for chewing gum as for model cities," Samuels said earlier this month. "We spend as much for pet food as on food stamps for the poor. We spend more for tobacco than government at all levels spends on higher education. We spend $300 million for jewelry and quarrel over $10 million for the teacher corps."

Surprisingly, Cohen doesn't agree with this approach. He agrees on the urgent need for more public funds, but does not believe that it is realistic politically to expect citizens to give up something they already have, no matter how luxurious.

Take 10% of Growth

Instead, he wants to take at least $5 billion more a year from an exuberant economy. Let us say, Cohen muses, that the economy grows at the rate of $50 billion a year. Taking $5 billion a year from that increase is reasonable and that would produce an increase of $25 billion a year for various welfare programs in five years.

Cohen sometimes finds himself resorting to a cliche when he protests that the American society cannot be transformed overnight. But his recent speeches have carried a new note of urgency. Ashe told business executives here last month, "time is running out."

"It is becoming intolerable for many American Negroes and other minority groups and rightfully so," he said, declaring that in the United States "more and more people are enjoying the benefits of prosperity" while there is a growing disparity "between those who have gained the most and those who have gained the least."

Wilbur Cohen has spent his entire adult life helping those who have the least and he doesn't intend to stop now.

Happy Worry: Economic Impact of Peace

From page 1

presence in Asia and development of an antiballistic missile system.

The almost $20 billion reduction in the annual rate of spending would be about $2.2% of the estimated gross national product (GNP) for fiscal 1969, a decline roughly similar to that following the Korean war. The United States Chamber of Commerce forecast a 3% GNP drop.

CED said that the broad objective of policies to deal with this reduction should be a stepped up attack on race-poverty problems and promotion of a higher private investment rate to accelerate economic growth, a necessity in quieting social conflict.

More Capital Spending

If defense spending declines as CED expects, "not much room will be left for tax reduction in the postwar transition period of about two years except for the removal of the wartime tax increases and extensions."

Why? Because CED assigns high priority to increased nondefense expenditures, especially for poverty, and to building up a moderate budget surplus. Since business is reluctant to invest when there is a federal deficit, a surplus is expected to stimulate capital spending.

CED also wants improved state revenue systems, a 10% cut in the federal corporate profits tax to be replaced by a tax on value added — the difference between the cost of purchases and the cost of goods sold — dismantling of temporary controls on capital investment abroad and repeal of the interest equilization tax and any taxes or restrictions on foreign travel.

To assure a smooth readjustment CED advised that new programs "come into the market fast enough to absorb the released resources without recession and unemployment, but not so fast as to stimulate inflationary forces."

Demand can be sustained best in the face of an unpredictable but possibly rapid release of labor and material from the war effort by prompt reduction of the wartime taxes and by freeing money, CED said.

"Federal spending cannot serve this function equally well, because the decision making process is too slow and is properly dominated by considerations other than the support of aggregate demand," he said.

The government, "to make clear its intention to support total demand," should review and update "a shelf of public programs deferred because of the war. While we do not foresee a sufficient surplus to finance most of these programs, readiness to put them into effect, quickly if necessary, will improve confidence in our ability to support total demand. Local governments could follow suit with respect to projects that have been postponed because of high interest rates," the committee said.

How would labor be affected by the end of the war?

CED estimated that about 250,000 federal jobs are directly related to Vietnam, 800,000 posts in the armed forces and 1 million workers in private employment, composing 1.7% of the total civilian employment in fiscal 1967.

Few problems are expected in shifting federal employes to other government jobs. The armed forces probably will be reduced gradually, with many men returning to school.

Impact in State

If total employment remains high, substantial job reductions are not expected in the private economy, with the possible exception of industries critically tied to the war effort, such as ordnance and aircraft manufacturing.

CED said that because of good prospects for new civilian aircraft, large scale layoffs may not hit big aircraft manufacturing communities like Los Angeles, Seattle and Wichita.

The ordnance buildup, it said, has occured mostly in areas where it consumes but a small part of the total labor force and opportunities for other work are plentiful.

The Wisconsin state employment service recently estimated that only 20,000 jobs are directly related to Vietnam. In places like Eau Claire and Baraboo, where ordnance is produced, there undoubtedly would be lay-offs, but the impact is not expected to be strong if the economy maintains its momentum.

The size and character of the expected readjustment does not indicate the need for a "crisis effort of large proportions," CED said.

"Since companies, communities and individuals most likely to be affected have adequate guidelines to follow if they take the initiative in undertaking planning, we urge that they exercise such initiative," CED said. "Aids from the government exist, although some temporary expansion may be needed as defense cutbacks occur. We think that these observations are not complacent but realistic."

An illustration by Louis Glanzman for "Veronica Ganz"

The Junior Bookshelf

Veronica Is Bossy and Gets a Lesson

By RUTH H. GEORGE of the Milwaukee Public Library

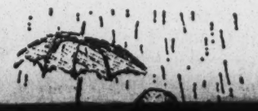
EVERY new kid in the neighborhood learned the hard way that one did not tangle twice with the tall Veronica, who was a bully. Boys and girls alike had been through a good fight with all the trimmings to establish who was boss of the eighth grade in PS 63.

Then along came that shrimp Peter Wedemeyer, whose clever tactics outwitted Vernoica each time they clashed even though he only came up to her shoulders. Many maddening days passed before Veronica discovered that being a girl has its distinct advantages.

"Veronica Ganz" by Marilyn Sachs (Doubleday, $3.50), is for the 9 to 12 year old who will see beneath the tough exterior a heroine loyal to her explosive mother, a docile stepfather, a dreamy younger sister, and an endearing little ent and went to a special school, but the others readily accepted Andy Hoddell with his warm smile and instant friendliness. Their favorite pastime was to "buy" and "swap" valuable property around the city — a game that Andy could never understand however hard he tried.

When a shabby old man "sold" Andy the Beecham Park racetrack for three hard earned dollars it seemed for a time that the boy really did own it. The fantasy grew, and with it his friends' concern over Andy's inevitable disillusionment.

In **"A Racecourse for Andy"** (Harcourt, Brace & World, $3.50), Patricia



Books of the Week

Philby, Who Betrayed Two Nations, Speaks for Himself, Is Spoken For

THE PHILBY CONSPIRACY. By Bruce Page, David Leitch and Philip Knightley. Foreword by John Le Carre. Doubleday. $5.95.

MY SILENT WAR. By Kim Philby. Grove. $5.95.

THE THIRD MAN. By E. H. Cookridge. Putnam. Cloth, $5.95; paper, 95c.

KIM PHILBY, THE SPY I MARRIED. By Eleanor Philby. Ballantine. Paper, 75c.

Moscow's Man in London and Washington Tells His Story and Is the Subject of Three Other Accounts

By BILL HIBBARD of The Journal Staff

WHEN H. A. R. (Kim) Philby entered the British secret intelligence service (SIS) in 1940, he was given the designator symbol DUD. Never was such a designator more ironic, for in 30 years of work for British intelligence Philby turned out to be, in the words of America's spymaster, Allen Dulles, "the best spy Russia ever had."

Coming in quick succession, these four books trace the incredible successes of this master of duplicity from different points of view: Through the eyes of a team of London Sunday Times newspapermen (Page - Leitch - Knightley) who at times had upward of two dozen assistants doing research, through the eyes of the main character himself, through the eyes of a former intelligence officer who followed the case from the time suspicions were made public (Cookridge) and through the eyes of Philby's third wife, who says she never had a clue that he was working for the Communists.

"The Philby Conspiracy," the most complete account of Philby's double life, is based on months of painstaking research and interviewing of his friends, associates and anyone else who had knowledge and would talk. It describes in detail his three decades of perfidy, in which he survived two investigations of his activities and, after the second, was publicly cleared of any betrayal of his country by then Foreign Minister Harold Macmillan, who, the authors say, believed the Philby affair simply a squabble among competing secret services.

Even though the British counterespionage agency known for his Arabian explorations.

Incredibly, when SIS created a special Soviet counterintelligence section in 1945, the man chosen to head it was the star Soviet agent, Philby. In 1949, more doors opened to him when he was assigned as the SIS liaison man with the central intelligence agency in Washington. This enabled him to pass United States secrets to his increasingly appreciative Soviet masters and to keep them posted on most plans and activities of all western intelligence.

Among operations he probably sabotaged was an attempt to provoke civil war in Albania to wrest it from Communist control, with the hope that the ferment would spread throughout the Balkans. All that resulted was a slaughter of Albanian volunteers who were infiltrated. In his book, Philby dismisses the operation as doomed by circumstances from the start, and adds that it was lucky it failed, since it passed the Albanian headache on to Red China.

How did Philby escape detection for 30 years? First, he was remarkably intuitive in knowing what to do when, and he apparently had excellent direction from his Soviet superiors. Then,

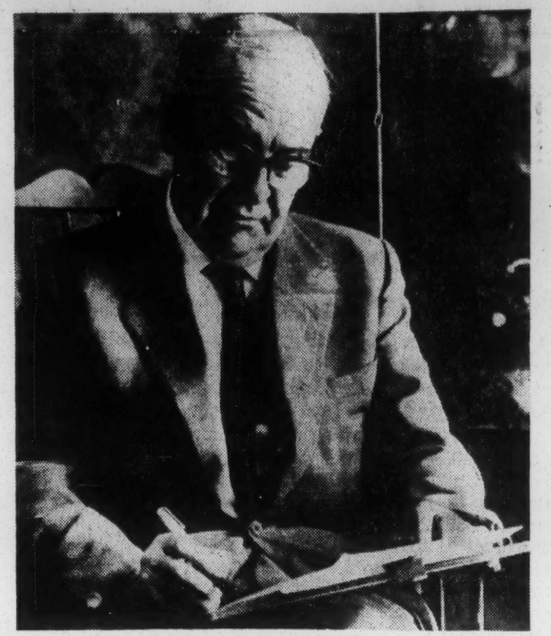
"Kim" Philby at a press conference in 1955, after his exoneration by Harold Macmillan, then foreign minister.

Eleanor Philby, third wife of the master spy.

he was protected by the appallingly naive "old boy" mentality of the SIS; he came from the right family, attended the right schools, had the right friends. As a member of the establishment, he simply couldn't be suspect.

Ditto for Maclean and Burgess. Actually, it was their defection that turned attention to Philby. But even then, for 12 years, though fired by SIS because of the suspicions that couldn't be proved, his ties were still strong enough so that he continued working for SIS on a "free lance" basis.

"Secret services have in common with freemasons and mafiosi that they inhabit an intellectual twilight — a kind of ambiguous gloom in which it is hard to distinguish between the menacing and the merely ludicrous," write the Sunday Times re-



Victor Sawdon Pritchett

V. S. Pritchett's England

With a Novelist's Charm, a Critic Recalls a Boyhood Among Plain People

A CAB AT THE DOOR. A Memoir by V. S. Pritchett. Random House. $5.95.

By FRANK RAHILL

THE author of these reminiscences is an English writer admired by a discriminating public for his book reviews (mostly in the New Statesman) and a few novels and short stories. The present work has the tidiness and charm of an old fashioned novel, but the tone and technique are contemporary and sophisticated.

The background consists of two important segments of English society of the Labor party era—small town and rural North country, and cockney London at the working class level. Yorkshire religious nonconformity in various forms and big city commercial enterprise compete for the soul of the narrator. He eludes these nets and takes flight for Paris at the end of the book at the age of 20—with a sequel to be expected.

The young Victor Sawdon Pritchett's ambivalent relationship with his dominating Victorian father constitutes the main line of development. The elder Pritchett emerges as a Micawber of the new middle classes—one of many delightful portraits in the book—who never quites makes it as a successful entrepreneur, in spite of an almost religious dedication to the mystique of selling goods.

Though the tensions of Pritchett's early life were favorable for the growth of an artist, literary associations were lacking except for a brief exposure to an extraordinary teacher of English at one of the many wretched slum schools he attended. This Mr. Bartlett was a pioneer in the case method of working up a theme, and he ignored grammar, practiced permissiveness and evoked doglike devotion from his ragamuffin classes. Bartlett soon disappeared, but not before planting a seed in his most promising pupil, which was to germinate in the congenial air of Paris.

The reviewer is a member of The Journal Company's promotion staff and a writer on literary subjects.

'Living Documents,' II

The second volume of "Living Documents in American History," edited by John Anthony Scott, has been published by Washington Square Press at $7.95. It contains contemporary material from many sources on the period that began with the reconstruction du-

ted Vernoica each time they clashed even though he only came up to her shoulders. Many maddening days passed before Veronica discovered that being a girl has its distinct advantages.

"Veronica Ganz" by Marilyn Sachs (Doubleday, **$3.50**), is for the 9 to 12 year old who will see beneath the tough exterior a heroine loyal to her explosive mother, a docile stepfather, a dreamy younger sister, and an endearing little brother who hiccups for hours when he is upset. Illustrations by Louis Glanzman add a humorous touch to the brisk text.

* * *

The gifted author-illustrator Leo Lionni has a new bright and bold picture book for the imaginative 3 to 6 year old, **"The Biggest House in the World"** (Pantheon, $3.95).

A tiny snail living on a big cabbage has grandiose ideas. He wants the largest house when he grows up. His wise father tells him a story to prove how impractical and disastrous this could be, and our friend goes happily on his way to

Jacket picture for "The Biggest House in the World."

inspect the fascinating world of nature around him, content with the thought that some things are better small.

* * *

Growing up in Missouri in the early 1900s, Peakie Maston felt she was the loneliest person in the world. Instead of curly hair and three best friends like her sister Beatrice, she had straight hair and no friends until she met Jo March in "Little Women."

Peakie confided in the fictional Jo whenever her mother's unconventional behavior embarrassed her to tears or the various boarding schools she attended proved unbearable. Her great love was her father, with whom she memorized and recited poetry.

"Over the Hills and Far Away," by Lavinia Russ (Harcourt, Brace & World, **$3.50**), is a nostalgic autobiographical novel for the independent 10 to 14 year old. The setting may be old-fashioned, but Peakie and her problems are a timeless delight.

* * *

From the time the five boys were small, they played together in the yards and streets of Appington Hill on the edge of Sydney in Australia.

One of them was differ-

hard earned dollars it seemed for a time that the boy really did own it. The fantasy grew, and with it his friends' concern over Andy's inevitable disillusionment.

In **"A Racecourse for Andy"** (Harcourt, Brace & World, $3.50), Patricia

From "My Friend John"

Wrightson presents, with insight and without sentimentality, a story of friends who genuinely cared for their retarded companion. The perceptive 10 to 12 year old will find it both entertaining and rewarding.

* * *

John's friend can't spell, but John can't multiply, so they help each other. They know what is in each other's refrigerators and where the secret places are in each other's houses. John knows where his friend keeps the things in his bureau drawers, and his friend knows what is in all the closets at John's house.

Thus in **"My Friend John"** (Harper & Row, $2.50), Charlotte Zolotow brings the concept of best friends to the 4 to 8 year old in warm and simple fashion.

Engaging pictures by Ben Shecter add more fun.

had knowledge and would talk. It describes in detail his three decades of perfidy, in which he survived two investigations of his activities and, after the second, was publicly cleared of any betrayal of his country by then Foreign Minister Harold Macmillan, who, the authors say, believed the Philby affair simply a squabble among competing secret services.

Even though the British counterespionage agency (MI-5) suspected what the highly placed Philby was doing, it could produce no conclusive proof. Only his defection to the Soviet Union in 1963 brought confirmation that he was, indeed, the "third man" who had sounded the warning that caused Donald Maclean and Guy Burgess to defect to the USSR. In league with Philby, both had been valuable Soviet agents since their college days, but the security services finally were catching up with them.

Philby's book, though containing many obvious omissions and, probably, many distortions, makes fascinating reading, for he adds the dimension of emotion to the facts. He describes the gut wracking tension that builds when exposure appears imminent, the satisfaction that a dedicated spy gets from his successes, and the frustration he felt while preparing lectures on the Soviet intelligence services because he had to leave out information based on his personal experience.

He admits that he was recruited by the Communists when he attended Cambridge in the early thirties, and he disputes the speculation that his course was influenced by his unorthodox father, St. John Philby,

They pieced together an appalling story: From left, Phillip Knightley, Bruce Page and David Leitch.

of the suspicions that couldn't be proved, his ties were still strong enough so that he continued working for SIS on a "free lance" basis.

"Secret services have in common with freemasons and mafiosi that they inhabit an intellectual twilight — a kind of ambiguous gloom in which it is hard to distinguish between the menacing and the merely ludicrous," write the Sunday Times reporters.

It was in this "ambiguous gloom" that Philby thrived.

Paris at the end of the book

'Living Documents,' II

The second volume of "Living Documents in American History," edited by John Anthony Scott, has been published by Washington Square Press at $7.95. It contains contemporary material from many sources on the period that began with the reconstruction during and after the Civil war and ended with the outbreak of World War I.

theme, and he ignored grammar, practiced permissiveness and evoked doglike devotion from his ragamuffin classes. Bartlett soon disappeared, but not before planting a seed in his most promising pupil, which was to germinate in the congenial air of Paris.

The reviewer is a member of The Journal Company's promotion staff and a writer on literary subjects.

'Interpretations'

Additions to Prentice-Hall's Twentieth Century Interpretations series deal with "Hamlet," "Twelfth Night," "Walden" and "The Adventures of Huckleberry Finn." The editors, respectively, are David Bevington, Walter N. King, Richard Ruland and Claude M. Simpson. The books, containing critical essays on each subject, sell at $1.25 in paper, $3.95 in cloth. The subjects of previous volumes were "All for Love," "The Frogs," "The Great Gatsby," "Henry V," "The Iceman Cometh," "Samson Agonistes" and "The Sound and the Fury."

On a Cold Island With No Compass

VOYAGE IN THE DARK. By Jean Rhys. Norton. $4.95.

By LEONA YOUNG

THIS highly regarded British novel of 1934 is breaking into American print for the first time. With its direct style, it settles comfortably into our present literary scene.

It is a brilliantly written, sensuous, environmental story about a late teen ager — a chorus girl named Anna Morgan. Born into the heat of a West Indian sun "that can be terrible like God," she is chronically cold in England. A chain of seedy boarding houses sets the pitch for the rather conventional plot, which Oliver Goldsmith might have suggested in his lines: "When lovely woman stoops to folly/And finds too late that men betray. . . ."

The voyage of the title is Anna's English adventure, chiefly involving two men and three girls; Anna's descent to prostitution and a brief pregnancy.

The impact is all in the telling. Anna's simple monologs are full of commentary. Without vulgarity and without sentimentality, her reactions are communicated to the reader. She comes through as a bewildered young woman, too infatuated with a man 20 years her senior to recognize the real values in her foggy world.

Into Anne's figurative voyage, memories keep floating like phantoms, crowding it with an assortment of poetic images: A sea that "was millions of spangles"; "little gray streets all exactly alike — leading to stage doors"; trays of salt fish cakes "all sweet and charmin'" — carried on the heads of black women. And, with razor edged perception, Mrs. Rhys shows us the British in unlovely colors, through eyes of the disenchanted.

The novel ends with Anna recovering from an abortion — "I drank the gin and listened to them whispering. Then . . . the ray of light came in under the door. . . . I thought about misty days when anything might happen."

Has the grisly episode changed the course of her voyage to a brighter port? Probably not.

Mrs. Young is a free lance writer who lives in Whitefish Bay.

The View From the Bottom

COUNT A LONELY CADENCE. By Gordon Weaver. Regnery. $4.95.

By LESLIE CROSS
Of The Journal Staff

AT THE heart of this first novel by a former Milwaukeean is an extraordinary portrayal of army life in the post-Korean war period. In the best sense, it is "From Here to Eternity" brought up to date, and if the book ends in a holocaust of the spirit rather than a Pearl Harbor, the catastrophe is no less affecting for being muted.

Ostensibly, it is the story of Frank Bean — Fairchild Franklin Bean of Milwaukee before he became a high school dropout and was coerced into enlisting because of petty thefts. But it is also the story of a wide range of "left footers," hapless trouble makers and those lowly of the military system who cannot find a sense of personal worth under the rules imposed upon them.

Frank Bean is always at odds with the system, stateside and overseas alike. He is battered but unbent. Inevitably, he becomes a military prisoner.

In a stockade in Germany, he finds himself the fellow of six Negroes accused of military crimes from desertion to rape and murder. His fellow prisoners, ironically, are the comrades whom he most respects. They are a fascinating assemblage of jailbirds, and not since "The Enormous Room," E. E. Cummings' great personal document of World War I, is it likely that a more engaging outlaw company has been put into a book. In the end, the white prisoner betrays them to revenge himself on another white man, the sergeant jailer who is determined to turn him into a soldier.

The novel is vivid with glimpses of the life that enlisted men encounter in Europe — the bars, the girls in the parks, the scheming civilians with whom they do business. The author enriches it with a deep understanding of both the dignity and the limitations of humanity in such a world. And it asks moral questions that cannot be ignored.

"Count a Lonely Caence" — the title is suggested by the count for exercise in a stockade, heard before dawn from afar — has its faults. The first person narrative does not always convince one that the bitter Franklin Bean could have had the insights that are an integral part of the novel.

The author is on the English faculty of Marietta (Ohio) college. He has dedicated his book to his wife and to a Wisconsin writer with whom he studied, Donald Emerson of the University of Wisconsin—Milwaukee.

Reading and Writing

'One Sitting' for Mrs. Popkin

By LESLIE CROSS
Journal Book Editor

ZELDA POPKIN was in holiday mood. A few days before we saw her in New York, she had turned in the completed manuscript of her latest novel, "Herman Had Two Daughters." It has since been published by Lippincott and was reviewed in The Journal three Sundays back.

"When I write a novel," said Mrs. Popkin, a spirited woman in her 60s, "I try to do it in one sitting — or in what is as close as I can come to a single sitting. This last sitting lasted two years. I write all day, seven days a week, when I'm working on a book. I can't visit friends or engage in any social activities. I live a monastic life."

With her manuscript packed neatly for delivery, Mrs. Popkin began celebrating by repotting her house plants at her Manhattan apartment. Next a rackful of clothes went to the tailor for cleaning, pressing or repairs. Mrs. Popkin telephoned a neighbor and asked whether she could visit her and play with her baby.

"And today," Mrs. Popkin announced with enthusiasm, "I'm going to see 'Fiddler on the Roof.' I haven't seen a show in those two years."

From Wilkes-Barre to Manhattan

Mrs. Popkin's new book is about a Jewish family in a small New Jersey city in the earlier decades of this century, and the divergent paths of its daughters through most of the rest of the century to date. Mrs. Popkin herself was a daughter in a somewhat similar family in another small eastern city— Wilkes-Barre, Pa.—and had her first whiff of printer's ink there. She was 16 when she got a job writing items for the Wilkes-Barre Times-Leader, and by the time she was 18 she was covering murder cases.

"I was such a little girl," she related, "that my father used to accompany me when I had evening assignments."

The then Zelda Feinberg went to New York later to attend the newly established school of journalism at Columbia university. "But it wasn't really exciting," she said. She got married and she and her husband, Louis Popkin, started a public relations business.

He died about 25 years ago, and his wife has since devoted most of her time to her books. Her present one is her twelfth.

"Before my husband's death," she said, "I had done some writing, but it was mostly as means of relaxation, just as another woman might knit."

Her first books, published in the late 1930s and early '40s, were mystery novels. The book she regards as her first serious novel, "The Journey Home," appeared in 1945. She went to Europe with the Red Cross at the end of World War II, and the experience had an outcome in a novel set in occupied Germany, "Small Victory."

In 1948 she was off for the new state of Israel. She lived under mortar fire in the siege of Jerusalem that fall and put her experiences to good use once more, in a book, "Quiet Street," that her publisher called "the first novel of contemporary Israel." She made another trip to Israel three years later, and lived briefly in Canada in the 1950s.

She found she couldn't write as easily in any of those places as she could in New York, and soon returned there.

"It's the only place I can really work," she told us. "Its tempo seems to suit me, and I think you can find more privacy in Manhattan than anywhere else. There isn't any gossip here, or even any curiosity worthy of mention."

She Gives Credit to 'a Great Editor'

She is fond on New York, too, because her editor, Miss Tay Hohoff works at Lippincott's Manhattan offices (its headquarters are in Philadelphia). Mrs. Popkin is one writer who praises her editor freely for having had a large part in her accomplishments. "Tay Hohoff," she remarked while that lady was out of earshot on our mutual visit to the Lippincott suite, "is a great editor. A writer like me, at least, needs an editor who can discipline and shape his work — one who knows what's in his mind even before

Zelda Popkin, whose 12th book is "Herman Had Two Daughters."

he becomes conscious of it himself."

Mrs. Popkin has two sons who do some writing, too, though of a less literary nature. One is Richard H. Popkin, chairman of the department of philosophy at the University of California in San Diego. With numerous professional monographs to his credit, he is completing a book on the murder of President Kennedy, in which he thinks two "Oswalds" figured. Roy Popkin, his brother, is the author of "The Environmental Science Services Administration," about the large federal agency of that name, published last fall by Praeger.

Mrs. Popkin lives near the East Village and finds the environment exciting.

"I knew the city," she said, "when the trees were higher than the houses, and horse cars were still running. I look up and am exhilarated. When I look down, of course, I'm sometimes distressed."

Music Stage

It's Spring Concert Season— Can Summer Be Far Behind?

By GERALD KLOSS of The Journal Staff

NOW starts the annual spring breathing spell in local stage and music activity, with performers and audiences resting from the exertions of a long season and gathering strength for the summer music and straw hat theater season ahead. Still, there are a few concerts this week to lure the indefatigable music lovers away from their TV sets.

The Arion Musical club spring concert will be given at 8:15 p.m. Tuesday at the Memorial Center, under the direction of Gerald Jenkins. The chorus will sing Haydn's oratorio, "The Creation," which many esteem the inspirational equal of Handel's "Messiah." Indeed, the text, merging parts of the book of Genesis and Milton's "Paradise Lost," originally had been prepared for Handel. Haydn composed the oratorio at 66 — his first attempt in that medium — and claimed that his inspiration came from on high.

Soloists will be soprano Marlene Rosen, baritone Frederick C. Frey and tenor Edwin Kappel.

The University of Wisconsin—Milwaukee symphony orchestra will give its final concert of the school year at 8:15 p.m. Monday in the ballroom of the student union.

Wolfgang Vacano will conduct the Schumann A minor piano concerto, with Richard Neher as soloist, and Donald Erb's concerto for percussion and orchestra, with Ronald George as percussionist. Stephen Colburn will conduct Mozart's overture to "The Magic Flute," a movement from Mahler's fifth symphony and the first movement of Mendelssohn's violin concerto, with Taik Ki Kim as soloist. Thomas Trimborn will conduct Humperdinck's "Hansel and Gretel" overture and Smetana's "The Moldau." Admission is free.

Opera Workshop

Scenes from four operas will be presented by the UWM Opera Workshop at the Skylight theater, 813 N. Jefferson st. at 8:15 p.m.

David Weber will be soloist Monday at Brookfield East high school.

music composed by Harold Bellman Green, dean of music theory, in the college concert hall, 1584 N. Prospect av. Faculty members and students will play compositions for solo piano and trumpet, flute and oboe, with piano, plus four part chorus settings of three Shakespearean sonnets.

Pianist Richard Zimdars will give his junior recital at the University of Wisconsin–Milwaukee's fine arts recital hall at 3:30 p.m. today, playing works by Schumann, Debussy and Beethoven.

The De Sales Seminary choir and St. Pius X Guild choir will present a memorial concert for the late Prof. John Rueping, seminary professor for 49 years, at 8 p.m. today in the De Sales Preparatory Seminary chapel, 3501 S. Lake dr. The principal work will be Faure's "Requiem," with the choirs assisted by members of the Milwaukee symphony orchestra, plus vocal soloists. The concert is public and free.

Clarinetist David Weber of the New York City Ballet orchestra will be the soloist in Carl Maria von Weber's second clarinet concerto in the spring concert of the Brookfield East high school music department at 8 p.m. Monday in the high school gymnasium. Dale Folsom will conduct the high school concert band in the concerto and other selections. Robert Potter will conduct the high school chorus. Band and chorus will combine for a performance of 13 sections of Carl Orff's vigorous and colorful "Carmina Burana."

Music Around State

A Bach festival of four programs will be given Friday and Saturday at the First Congregational church in Madison. Among the artists and groups in the programs will be harpsichordist Gunnar Johansen, organist John Wright Harvey, members of the Madison symphony, Madison Civic chorus, Philharmonic chorus and oboist and violinist Kathy and Norman Paulu.

Dr. John Mitchell will conduct the Ashland Civic orchestra in a concert at 2:30 p.m. today at the Alvord theater on the Northland college campus at Ashland.

Forthcoming events:

The City Center Joffrey Ballet will give six performances of works from its New York city season May 28 through June 1 at the Chicago Auditorium theater. Performances will be given at 8:30 p.m. nightly, plus a 2:30 p.m. matinee June 1. Eleven ballets will be performed.

Bela Nagy, professor of music and head of the piano department at Boston university, will supervise a piano workshop on the UW campus in Madison July 1-2. Dr. Nagy, who was a personal friend of Bela Bartok and introduced his third piano concerto, will also play a public recital in the campus music hall June 30.

Five attractions have been announced for the "Music by the Lake" summer concert series of George Williams college, Williams Bay, opening July 7. Lyric tenor Walter Carringer will be the soloist at that concert, followed July 14 by the Stanley string quartet of the University of Michigan.

An Indian dancer, Indrani, will appear with a company of eight dancers and musicians in a program of five different dance styles July 28. Pianist Leonard Pennario will be the soloist Aug. 11, and the final production will be the musical, "On a Clear Day You Can See Forever," Aug. 16-17.

The Lutheran A Capella choir will give its annual spring concert at 8 p.m. next Sunday in the gymnasium of Concordia college. Eldon Balko is the director of the 53 voice chorus.

Arion soloist Marlene Rosen

—Journal Photo

This closeup of Carol Hughain (left) and Jacqueline Mallory was taken at an Arion Musical club rehearsal as members prepared for their spring concert at the Memorial Center Tuesday night.

Classical Records

Watts Rejoins Bernstein

By GERALD KLOSS
Of The Journal Staff

IT WAS five years ago last January that a slim 16 year old pianist, Andre Watts, walked onto the stage of Philharmonic hall and gave a sensational performance of the Liszt E flat concerto with the New York philharmonic under Leonard Bernstein.

What added to the drama of the occasion was the fact that Watts had only two days to prepare for the concert as a substitute for the ailing Glenn Gould. His performance made headlines around the world, and Bernstein immediately pronounced him capable of becoming one of the top dozen concert pianists in the world. (Bernstein had made a similarly dramatic debut 19 years before, filling in as a last minute substitute for conductor Bruno Walter in a New York philharmonic concert.)

donated to the Southern Christian Leadership conference (SR-61170).

Included is a five minute excerpt from his famous "I Have a Dream" speech at Washington, D. C., in 1963, and a half minute excerpt from a speech given the day before his assassination in Memphis Apr. 4. Other eloquent passages are on police brutality, the commitment to nonviolence, Dr. King's description of how he became actively involved in the civil rights movement and his instructions on what he wanted to have said at his funeral. A memorable album on a great man.

* * *

The eight Bach flute sonatas are given exemplary performances by the French flutist Maxence Larrieu, with harpsichordist Rafael Puyana and Wieland Kuijken on viola da gamba, for a two record Mercury album (SR2-9125).

Bach certainly didn't take it easy on the flutist in these works, which range from eight to 18 minutes in length, with most in the 10 to 12 minute category. The flow of notes proceeds with seemingly little chance for the soloist to catch his breath — indeed, one sonata is specified for either flute or violin, and a violinist, of course, doesn't have to worry about wind control.

Larrieu conquers these technical difficulties and goes beyond them to deliver a fleet, graceful tone, with sensitive aid from his partners. The album has been awarded the coveted Grand Prix du Disque award of

and the first movement of Mendelssohn's violin concerto, with Taik Ki Kim as soloist. Thomas Trimborn will conduct Humperdinck's "Hansel and Gretel" overture and Smetana's "The Moldau." Admission is free.

Opera Workshop

Scenes from four operas will be presented by the UWM Opera Workshop at the Skylight theater, 813 N. Jefferson st., at 8:15 p.m. Wednesday, under Vacano's direction. The production originally was scheduled for last night on the UWM campus.

The free program will include scenes from Gounod's "Faust," Massenet's "Werther" and Puccini's "La Boheme" and "Sister Angelica." "Faust" and "Werther" will be sung in French, "Sister Angelica" in English and "La Boheme" in Italian.

The Milwaukee Catholic symphony orchestra will give its spring pops concert at 7:30 p.m. today at Brooks Memorial Union on the Marquette campus. Edward Zielinski will conduct selections from Loewe's film score for "Gigi" and Offenbach's "La Perichole," plus Debussy's "Claire de Lune" and two Leroy Anderson pieces.

Also today, at 8 p.m., the Wisconsin College of Music will present a concert of

Prof. John Rueping, seminary professor for 49 years, at 8 p.m. today in the De Sales Preparatory Seminary chapel, 3501 S. Lake dr. The principal work will be Faure's "Requiem," with the choirs assisted by members of the Milwaukee symphony orchestra, plus vocal soloists. The concert is public and free.

Clarinetist David Weber

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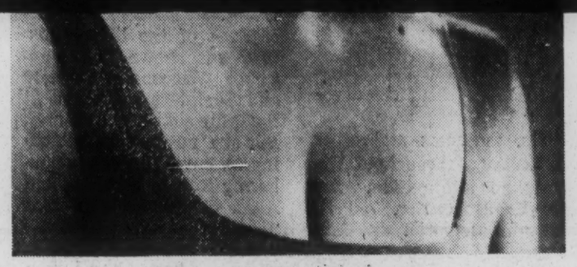

Arion soloist Marlene Rosen

The Lincoln Center Theater Story

By WILLIAM GLOVER of the Associated Press

NEW YORK, N. Y. – At long last, the mood is upbeat for Lincoln Center's troubled acting company. "This season we've solidified a beachhead," says Jules Irving, artistic director of the repertory theater.

"For the first time," Irving adds, "there is a sense of balance, a sense of equilibrium and at the least, hope for continuity."

The new optimism is tempered with caution, however.

"There's still a long way to go before we have what we want," Irving says. "Little by little, one fights for time."

He calls the statistical record of the current season "phenomenal."

Attendance has averaged 94.2% of capacity, compared to 75% last year and a national average of 67. Subscriptions have risen to 40,000, the biggest of any repertory company, and exceeded only by the first season mark of 46,000 — which subsequently fell to 29,000. And total income from boxoffice and subsidiary activities reached $1.6 million. Against a total operating budget of $2,280,000, that leaves $680,000 to be raised by the board of directors.

Irving, whose calm manner belies an intensely persistent spirit, took over under unfavorable circumstances as operating chief 17 months ago.

His partner Herbert Blau — they had come east after 13 years of running the San Francisco Actors Workshop — had quit abruptly, claiming he could no longer function artistically under the pressures of big city theatrics.

The pair took over the directorship in 1965-'66, succeeding the original management of Robert Whitehead and Elia Kazan. That regime had foundered on the rocks of conflict with the board of directors.

Emergency hasn't completely ceased. In his first solo production at the end of last season, "Galileo," the 42 year old Irving lost Rod Steiger to illness at the last moment. But Anthony Quayle, the replacement, won superb reviews.

For the final presentation this season, Irving found himself again suddenly deprived of a leading man. Richard Basehart, cast in the title role of "Cyrano de Bergerac" was felled by severe laryngitis.

Understudy Robert Symonds took over without a single preliminary rehearsal. Reviews were mildly favorable, but the boxoffice has been rocking along at 99% capacity.

Irving ran into further fuss when he launched the season with a revival of "The Little Foxes" boasting a stellar guest cast; then followed with "Saint Joan" and "Tiger at the Gates."

In comparison to previous, more offbeat schedules, the display to some people seemed on the safely conservative side.

"I don't know what safe is," declares Irving. "I'm basically a very instinctive and intuitive person. Theatrical instincts have to be obeyed. But one has to be practical and know when one can and cannot do something.

"I have not yet earned the right to fail, something which is often talked about in repertory work I feel I must do now what is most needed."

And that, he says, is to produce a body of work that will develop a strong public following.

"The long range purpose is what it has always been — to develop a company of actors," he says. Time is his most important ingredient.

Nineteen performers have been under season contract, with others hired according to production needs. The presence of an occasional name star he feels is good not only as a realistic boxoffice lure during the development phase, but also acts as an impetus for other actors.

—AP Photo

Robert Symonds as Cyrano de Bergerac

Little Theater Activities

The Patio Players will present "Sunday in New York" at Menomonee Falls high school Friday through next Sunday, under the direction of Carrell Davis. The cast includes Judith Dees, James Zyduck, Casey Cohen, Tom Nulty, Harriette Burns and Bill Sherry.

* * *

An experimental one act play, "The Tenant," by William Shepard, a UWM student from Muskego, will be given at 3:30 p.m. Monday and Tuesday in the studio theater of the fine arts theater building on the UWM campus.

These will be the first performances in the 100 seat studio theater, located on the lower level of the building. The stage area is used for rehearsals when the main stage is in use in the large theater.

Shepard's play, set in a rooming house, will be directed by John Lubbers. Rory Levy, D. E. Desmond and Linda Garzonio are in the cast.

* * *

Other current little theater productions:

Sunset Playhouse, Elm Grove — "The Odd Couple," Sunday, Thursday through next Sunday and May 31-June 2 and June 7-9.

Sheridan Players, Cudahy senior high school — "Barefoot in the Park," Sunday, Saturday and next Sunday.

Milwaukee Players, West Division high school — "The King and I," Sunday.

Suburban Players, Greendale high school — "Finian's Rainbow," Thursday through Saturday.

Waukesha Civic theater — "Pygmalion," Friday and Saturday.

Haylofters, Burlington— "The Fantasticks," Sunday through next Sunday.

cert as a substitute for the ailing Glenn Gould. His performance made headlines around the world, and Bernstein immediately pronounced him capable of becoming one of the top dozen concert pianists in the world. (Bernstein had made a similarly dramatic debut 19 years before, filling in as a last minute substitute for conductor Bruno Walter in a New York philharmonic concert.)

Since then, Watts — born in Nuremberg of an American GI father and Hungarian mother — has expanded his concert schedule, including a state department tour of Europe last fall with the Los Angeles philharmonic. (He played his first Milwaukee area concert at Wauwatosa last month.) One of the works he performed to glowing reviews on the European tour was the massive Brahms concerto in B flat, now offered in a Columbia album with the New York philharmonic under Bernstein (MS-7134).

His performance justifies Bernstein's prediction of five years ago — there's more here than sheer technique and dazzling style. At 21 he displays interpretive authority as well as the youthful power necessary to make the piano equal to the orchestral surge. There's no timidity in his approach, certainly, but there is discipline as well, and his collaboration with the ever dramatic Bernstein is a triumph on all counts.

* * *

A Mercury album, "In Search of Freedom," consists of nine speeches and excerpts by the late Dr. Martin Luther King, jr., royalties from which will be

Memphis Apr. 4. Other eloquent passages are on police brutality, the commitment to nonviolence, Dr. King's description of how he became actively involved in the civil rights movement and his instructions on what he wanted to have said at his funeral. A memorable album on a great man.

* * *

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Larrieu conquers these technical difficulties and goes beyond them to deliver a fleet, graceful tone, with sensitive aid from his partners. The album has been awarded the coveted Grand Prix du Disque award of France.

Curtain Time

THE finals start tomorrow for 12 young pianists in the 1968 International Queen Elisabeth piano contest in Brussels, Belgium, but the audience favorite won't be among them.

This contest, held every four years, is one of the most prestigious in the world, with a $4,000 prize and instant fame for the winner. Contestants must be between 17 and 31.

Three American pianists made the finals — Edward Auer of New York city, Jeffrey Siegel of Chicago and Francois-Joel Thiollier, who was born in Paris. Four Russians also are among the 12. But the audience booed the jury for eliminating another American, 19 year old Joey Alfidi of Yonkers, N. Y., in the preliminary competition.

The newspaper Le Soir stated: "The jury preferred the most conscientious artists to the best gifted one." The late Queen Elisabeth of Belgium, after whom the contest is named, herself described Alfidi as a genius six years ago. As a result, the boy studied at the Brussels Conservatory and the Chapelle Musicale Reine Elisabeth, after earlier training at the Juilliard School of Music in New York city.

Alfidi, as well as Auer and Siegel, were pupils of Rosina Lhevinne, perhaps the most famous trainer of concert pianists of this era. Among her pupils have been Van Cliburn and Ralph Votapek.

* * *

Hurry up, you college theater groups, if you want to get in on the first American College Theater festival, scheduled for next spring at the John F. Kennedy Center of the Performing Arts in Washington, D. C. An organization called Friends of the Kennedy Center is sponsoring the competition, with the Smithsonian Institution and American Airlines, and has sent out applications to the more than 1,600 college theater groups across the country.

Applications must be submitted to the festival, with an entry fee of $25, by May 31. Ten college drama groups will be picked to put on their shows between Apr. 28 and May 12 at the Kennedy Center, with companies limited to cast and staff members of 20 persons. A committee set up by the American National Theater academy (ANTA) and the American Educational Theater association (AETA) will select the winning groups, apparently on the basis of next season's productions.

Actress Peggy Wood, honorary president of ANTA, told the Friends of the Kennedy Center recently: "The American College Theater festival will be a stimulus to better and better university theater and, eventually, better and better professional theater."

Conductor Leonard Bernstein and pianist Andre Watts

The World of Art

Inaugural Exhibition Surveys Current Art

By DONALD KEY
Journal Art Editor

AS AN inaugural show for the new fine arts galleries, so long awaited at the University of Wisconsin — Milwaukee, "Art 1968: Hang Ups and Put Downs" is a brilliant and bountiful survey of what is current in painting and sculpture.

There are remnants of pop, op and top (topographical) art, a sufficiency of flop (which some call funk art) and a gallery of minimal art that in many cases is an overstatement of what might better be called "nothing" art.

All of this is material making the scene. Whether it is disliked, disclaimed or dazzling, it is the current art and should be publicly displayed for viewer reaction.

UWM art faculty members who organized the exhibition did an admirable job in acquiring work well representative of widely varied directions. They borrowed from galleries in New York, Chicago and elsewhere for showing through June 11.

If there are any common denominators, one is a consistent denial, burlesquing or contorting of past images (of art, of nature, of humanity) and a consistent tendency toward mimickery and trickery.

Figures in nearly all the paintings incorporating them are copied from somewhere — burlesqued old masterworks, risque magazines or television.

A TV Sailboat

Remnants of pure pop involve nudes of photographic reality, curvaceous in contour and lush in flesh tone, by west coast artist Mel Ramos. One girl rides atop a hippopotamus; the other a rhinoceros. A sleepy disinterested nude decorates a static animal; one with a lively, happy attitude is poised on the hippo, its great big mouth wide open on a background of jolly green. Both are typical playboy paintings by Ramos.

Less typical and almost out of the pop field is "T.V. Boat No. 2," by James Rosenquist. It is painted on a canvas shaped like a TV master of op art who has worked at illusionary graphic effects for at least 20 years and long before op was top, is represented by two works. One is a black and white that uses bent lines like bars turned in diverse dimensions. His best work is a huge tapestry of checks in a gamut of glistening tones with contrasts that temper and animate one another. It is like a lively illusive chess game of squares on squares, circles on squares, diamonds on squares, wedges on squares, triangles on squares — all battling for visual attention.

This is a piece of lively luster and levity. Its play of tones and planes is so vigorous that it makes the work of younger cohorts in op seem shamefully slow.

Among the several shaped canvases in this gallery, "68-1" by Charles Hinman has the most purposeful contouring. It is arrow shaped, hangs diagonally on the wall and seems to thrust like an arrowhead, a missile or a rocket, with triangular areas of orange, blue and yellow. Hinman once was a pitcher for the Milwaukee Braves — which surely doesn't make him an artist, but from the vigor of this work it fortunately didn't ruin him, either.

There is a room full of funk art with pieces by Raymond Siemanowski and Peter Saul, most of them loaded with suggestive symbolism, blatant if not banal. A sculpture by Siemanowski has pipes and attached shapes (like exhaust pipes with mufflers) crawling along the floor. They are painted, bright colors of yellow, orange and green. Amid them is a striped slippery slide; on the wall behind them is a multipointed star of orange.

All this funk imagery seems squiggly or shaggy or ready to burst from its painted state. A viewer's inclination is to keep his distance.

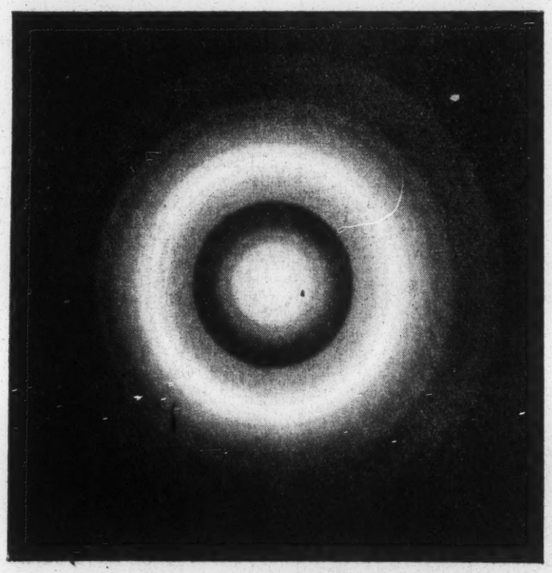
two compositions with found object collage (he worked with this as early as 1942, long ahead of the assemblage art craze). These works open out to wider planes and areas of color than his earlier art.

One has figurative shapes cut out of the canvas and pasted back on in a diagonal position as if they were floating. It also has an attached mirror in which a viewer sees part of himself.

This brings viewers into the picture whether they want to be there or not.

The minimal art, with squares of iron set on the floor, strings outlining what the artist hopes will be imagined as transparent shapes, a plain canvas of blue against the same blue, and polished prism shapes that reflect and re-reflect, deserves minimal discussion. It has had it.

Among shaped canvas paintings in the inaugural show at the UWM fine arts galleries is this oil, "T. V. Boat No. 2" by the noted pop artist James Rosenquist.



"Phantom" by op artist Peter Sedgley is in the "Hang Ups and Put Downs" exhibit.

Memorial Film Program

In conjunction with the Frances Newell Lee exhibition, the Milwaukee Art Center will present an evening of films at 8 o'clock Thursday. They will be on art, a documentary, an animated and an experimental film.

sities, museums and other institutions throughout the state. For information, write to the art center, 750 N. Lincoln Memorial dr., Milwaukee.

Mrs. Lee, curator of adult education at the center until her death last year, was a

Spectators Are Involved in Electronic-Light Show

By MICHAEL KIRKHORN
Of The Journal Staff

THE cosmic humming cannot be heard from the main gallery, but there is another show, in addition to "Hang Ups and Put Downs," in the new University of Wisconsin—Milwaukee fine arts building.

This is an exhibition in the fourth floor weaving rooms by eight UWM electronic-light artists and one sculptor. Eight of the artists are students. The other, Ted Kraynik, is an associate professor of art at UWM.

Some of the light sculpture was shown in the recent Wisconsin Painters and Sculptors exhibition at the Milwaukee Art Center. But the new work—including an environmental chamber by Donald Weisflog and Allan Erdmann's six part "People" — have added impressive new dimensions to what has been shown here previously.

Correctly, this is not light

many of the sculptures. Kraynik, who will be continuing his research into electronic art next year at the Massachusetts Institute of Technology, prefers to call it "synergic art."

"Synergy is a term taken from medicine and used by social scientists to develop a philosophy which shows people how to relate to their environment more productively," he said. "It also creates a situation in which the viewer becomes a part of the work of art and not just a casual observer."

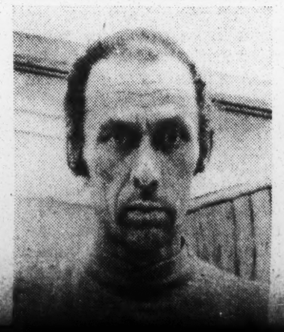
Audience Participation

This show provides several opportunities for the spectator to involve himself — even surround himself — with art. The involvement is not the total, annihilating immersion that one exper-

happening outside the light-connected framework of boxes. It is not necessary to enclose the spectator with walls. The art creates its own, more effective, environment.

Kraynik has two pieces in the show — both light panels behind opaque glass and activated by impulses from a television set.

"This is channel four," he said, watching the kaleidoscope shifting of snowflake-



Exhibitions and Artists

PEN and ink drawings by the Rev. J. Paul Eaton of Milwaukee are on view this month at the Eaton art gallery, 2559 N. Downer av.

* * *

Stanley Trasker of the art department at Washington university, St. Louis, Mo., and Dante Vena, of the University of Ohio art faculty, have been named judges for the Falls art fair. The fair will be sponsored by the Friends of Bonniwell June 15 and 16 in Lime Kiln park, Menomonee Falls.

* * *

Jewelry and other metal work by Robert Pum is exhibited in the art gallery of Ball State university, Muncie, Ind. Pum is a native Milwaukeean, a graduate of Bay View high school, and former Milwaukee and Muskego high school teacher.

* * *

Hubert Haisoch, former teacher at Richards school, Whitefish Bay, now on the faculty at Mercyhurst college, Erie, Pa., won a $100 prize for a painting in the 45th annual May show at the Erie Art Center.

* * *

Wisconsin artists invited to participate in an exhibition of work by 24 American craftsmen at Illinois State university, Normal, include Dorothy Meredith, weaver and art faculty member at the University of Wisconsin — Milwaukee; Harvey Littleton, ceramist, Arthur Vierthaler, metal craftsman, and Fred Fenster, metal craftsman all of the UW art faculty, Madison.

* * *

An exhibition of pottery by Don Reitz, Madison, and watercolors by Buffalo Kaplinski, Denver, Colo., opens with a reception at 2 p.m. next Sunday and continues through June at L'Atelier gallery, 2008 N. Farwell av.

* * *

Collagraphs by Milwaukeean Joseph J. Rozman, jr., are in the 71st annual Chicago and vicinity exhibition at the Art Institute of Chicago and the 10th national print and drawing show at the Oklahoma Art Center.

* * *

A painting by Milwaukeean Patrick Farrell is in the 40th annual Hudson Valley Art association's 40th annual national show

great big mouth wide open on a background of jolly green. Both are typical playboy paintings by Ramos.

Less typical and almost out of the pop field is "T.V. Boat No. 2," by James Rosenquist. It is painted on a canvas shaped like a TV screen. Its images of a man and a woman pushing a sail boat are fuzzed as are so many fluttery TV screenings. This picture is softly blended with illusive tones shaded into one another, providing further subtle satire on television tube trauma and attesting to the often overlooked skill of Rosenquist as a painter. This was evident in his early pop canvases, which were composites of common place images.

These paintings are in the large main gallery that redounds with enough ripe color to ripple most retinas. Some of it smarts.

Two by Vasarely

An op art piece, "Phantom," by Peter Sedgley is a target rainbow of basic hues, ranging from a white bull's-eye that diminishes to a circular band of purple on a black background. It has the illusion of being lighted from within. There is a tendency to be drawn to it, as one focuses on a thought; yet there is the knowledge that this target would shatter at the piercing of the first bullet. It is purely a target for the eye and mind.

Victor Vasarely, the old

Amid them is a striped slippery slide; on the wall behind them is a multipointed star of orange.

All this funk imagery seems squiggly or shaggy or ready to burst from its painted state. A viewer's inclination is to keep his distance.

George Cohen of the art faculty at Northwestern university is represented by

Memorial Film Program

In conjunction with the Frances Newell Lee exhibition, the Milwaukee Art Center will present an evening of films at 8 o'clock Thursday. They will be on art, a documentary, an animated and an experimental film.

This Frances Lee memorial film program will be available to schools, universities, museums and other institutions throughout the state. For information, write to the art center, 750 N. Lincoln Memorial dr., Milwaukee.

Mrs. Lee, curator of adult education at the center until her death last year, was a pioneer in film programing and in charge of the center's film programs.

the Milwaukee Art Center. But the new work—including an environmental chamber by Donald Weisflog and Allan Erdmann's six part "People" — have added impressive new dimensions to what has been shown here previously.

Correctly, this is not light art. Sound — humming, clicking, electronic wailing — is an integral part of

not just a casual observer."

Audience Participation

This show provides several opportunities for the spectator to involve himself — even surround himself — with art. The involvement is not the total, annihilating immersion that one experiences in clubs like the "Cheetah" in Chicago, where a combination of light effects and deafening, skull busting rock music leave one almost helpless.

The kind of audience participation offered by the UWM artists is not overpowering. In fact, it is not always very effective as a way of involving the spectator except in a very elementary way. But it is promising.

In Charles Waldeck's "Tonal Transcendental Tantrum," the spectator is able to modulate and combine the play of color and the sound by operating a half dozen simple controls. "Tantrum" is unprogramed. The spectator makes the art himself. But from this it is possible to envision a keyboard controlled environmental sculpture with infinite combinations of light and sound, perhaps recorded by computer, so that the work of art would be built from the primary structures — the technological apparatus.

The spectator enters Weisflog's environmental room, "The Womb," through a sphincterlike vinyl opening. Inside, lights play around the curving walls. The deeply cushioned floor adds to the feeling of suspension. Here, again, it is necessary to remember that this is student work. The chamber is more a novelty than a disconcerting and revealing art experience. But one senses an exciting direction, a movement into space that artists have not explored.

Six Sculptures

Allan Erdmann's "People" is a set of six electronic sculptures in variously shaped black boxes. The spectator creates combinations and sequences of flashing lights by walking through light beams connecting the boxes.

Because the spectator triggers sequences that flash unpredictably around him, the sense of involvement is even greater here than it is in Weisflog's room. This suggests, perhaps, that too much emphasis may be placed on the enclosure in an attempt to remove extraneous influences from the spectator's experience of these environmental sculptures. The effect of Erdmann's "People" is so absorbing that the spectator loses interest in what is

Allan W. Erdmann, one of nine artists in the electronic-light show in the new UWM fine arts building.

like designs against the glass. The panels can be moved closer or farther from the glass, increasing the intricacy of the effects.

The only unlighted sculptures in the show are four strongly composed, more or less minimal pieces by F. G. Lutz. (They do benefit, however, from light thrown on them by Erdmann's tall beacon, "Watt's Next.")

Lutz says he is interested in the kind of tension produced by the cutting through of one shape by another.

Illusion and Conflict

"My work is intentionally illusionistic," he says. "It deals with the ambiguous interaction of forms, at once separate and integral. This illusion of simultaneous separation and integration sets up a conflict between fact and fiction, in much the same way as an optical illusion."

His latest sculpture, a tall untitled piece, shows evidence of cleavage — a clean severance of a beamlike form with the top part slipping away from the bottom — but he has removed the outside, cleaving part of the form. The resulting effect is eerie, as if something devastating had happened to the piece the moment before you looked at it.

The artists not mentioned here — for reasons of space, not importance — are Edward Jankowski, Guy Baldwin, Robin Toellner and Al Blankschien.

The show will continue into early June.

at the Art Institute of Chicago and the 10th national print and drawing show at the Oklahoma Art Center.

* * *

A painting by Milwaukeean Patrick Farrell is in the 40th annual Hudson Valley Art association's 40th annual national show at Westchester Center, White Plains, New York.

* * *

Robert and Martha Hayden, of Sharon, Wis., are exhibiting paintings and drawings this month at the Wright Art Center, Beloit college. A reception will be held in the galleries from 2 to 4 p.m. today.

* * *

Paintings by members of the "Palettiers," a Waukesha artists group, are displayed through June 15 at the Main Street Arts gallery, Waukesha.

* * *

Intaglios by Arthur Thrall, former Milwaukeean now on the art faculty at Lawrence university, have been in three recent national shows: 7th annual exhibit of the Silvermine Guild of Artists, New Canaan, Conn.; 11th annual exhibition of the Hunterdon County Art Center, Clinton, N. J., and the 8th annual "Ultimate Concerns" exhibition at Ohio university, Athens. Thrall also had an exhibition of 15 graphics and 15 paintings last month at the Wisconsin Center, Madison.

* * *

An exhibition of 25 watercolors of wildlife by Milwaukeean Harry J. Moeller opens Monday and continues through June 20 at the Bresler galleries, 729 N. Milwaukee st.

* * *

A show of paintings by first year commercial art students at Milwaukee Technical college is displayed through May 29 in room 256-A, main building of the college. Gallery hours are 9 a.m. to 3 p.m. daily, except Sunday.

ANTIQUE SHOW and SALE
One of Wisconsin's Largest Antique Shows—Milwaukee, Wis.
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Numerous antique dealers exhibiting thousands of rare antiques.

A Style Evolving Toward Individuality

By DONALD KEY, Journal Art Editor

PAINTINGS in the debut show of Elke Nottelmann vary from sterile academic studies to a few canvases with some visionary ideas and promise.

Her exhibition of 30 oils opens with a reception at 2 p.m. today and continues through June 8 at the Fredericks gallery, 6907 W. North av., Wauwatosa.

This is the show of a painting style just evolving from accurate representation toward pictures of personal reflection.

Earlier paintings are labored landscapes or stilted still lives including a busy one with enough vegetables for a threshers' stew. Some later pictures attain scenic atmosphere or figurative focus.

Miss Nottelmann was born in 1938 in Kuestrin, Germany, where she spent her early childhood. When she was 6 her family fled from the advancing Russian army to a small town in northern Germany, where her grandparents lived.

She immigrated with her family to the United States in 1950. They lived for a year in Shawano, then moved to Milwaukee. Miss Nottelmann was graduated from Washington high school, attended the Layton School of Art and completed a two year course in commercial art at the Milwaukee Institute of Technology.

From 1962 to 1964 she worked in Germany as a commercial artist and studied with Wilhelm Thelen in Duesseldorf. She also traveled throughout Europe, visiting museums and sketching, from northern Denmark to southern Greece.

Three of her best landscapes are Grecian scenes. They give crumbled building stones enough personality to seem to whisper sadly about their days of grandeur in the midst of their present desertion. Now they are overshadowed by the growth and serenity of nature.

"Olympia I" has dark tree trunks leaning in opposite directions to create X forms around the ruins. "Olympia II" is more freely painted, with the bright green foliage snuggling closer to and effecting warmer contrasts with building stones crumbling into their native earth.

The structure of a building, crumbling but still retaining a basic shape with

Elke Nottelmann

Doric columns, commands the scene in "Aphaia Temple," sketched on an island near Athens. It is painted in a limited palette but with a wide repertoire of blues. The interior has a pink-blue light of Grecian intensity.

Lighting is one of the artist's most fully developed techniques. She makes it work well to create mystic mood in this temple, and she uses it to enhance contours and characters in recent figurative paintings.

It bathes a "Girl in Field" with late summer glow as she sits beside a tall stand of wheat, smiles and turns the stem of a plant in her hand.

These are Miss Nottelmann's best paintings, revealing a potential for future expression. She has acquired an admirable technique. It now must be developed into a style of individual vitality and vision.

"Olympia I" isi an oil in the debut show of Elke Nottelmann at the Fredericks gallery

Church Exhibit

May 29 is the deadline for entries in the art show opening the fine arts festival at Norway Lutheran church, Wind Lake, Wis., June 14-16. Entry forms can be obtained from Mrs. Allan E. Jones, 206 Harmont rd., Waterford, 53185.

Thirty-Eight Years of History Depicted in Prize Winning Cartoon Style!

That's the new publication, "The Cartoons of R. A. Lewis, Milwaukee Journal"! Now, 226 of his best drawings are compiled in a 128 page hard cover book. It's yours for just $2.50 in The Journal lobby. Or, by mail for just $2.75.

THE MILWAUKEE JOURNAL

Intelligence Test on Culture of Negroes Is Devised

By JOHN KIFNER

"T-Bone Walker got famous for playing what?

"(a) Trombone, (b) Piano, (c) 'T-flute,' (d) Guitar, (e) 'Hambone.'"

Those who do not know that T-Bone Walker, a hoarse-voiced country blues singer out of Linden, Tex., who once accompanied Blind Lemon Jefferson and sang "T-Bone Blues" with the Les Hite Orchestra in 1940, played the (d) Guitar, may be classified as culturally deprived.

That, at any rate, is the conclusion of the Dove Counterbalance General Intelligence Test.

Bootleg Xerox copies of the 30-question, multiple-choice examination, which is also known as the "Chitling Test," have gained increasing circulation in the last few months among antipoverty and civil rights workers.

The test was devised by Adrian Dove, a socoliogist and Government worker. Mr. Dove, a Negro, designed the test as a rebuke to standard intelligence tests, which he and some other experts contend do not fairly reflect the intelligence of Negroes because they are oriented to white culture.

Composed in 1965

Mr. Dove drew up the test in 1965 when, as an employe of the California Fair Employment Practices Commission, he served on part of a technical advisory committee on testing established shortly after the riots in the Watts section of Los Angeles.

"People were failing employment and intelligence tests," he said in an interview from Washington, where he now works as a program analyst for the Federal Bureau of the Budget. They were failing, he said, "not because they were stupid, but because the test was geared to middle-class white society."

After the group struggled unsuccessfully to devise a so-called "culture-free" test, Mr. Dove drew up his own, designed to reflect the culture and knowledge of the Negro slums.

"It was kind of half-serious, a way of proving the point that we're not really measuring intelligence," he said.

"Actually, you could utilize this test for people working in the ghetto, like highway patrolmen or parole officers, to see if they were sensitive and alert to what's around them."

Even his test may not be completely relevant, Mr. Dove conceded.

'Yardbird' or Aretha

One of its questions is: "'Bird' or 'Yardbird' was the 'jacket' that jazz lovers from coast to coast hung on ——."

"That's being missed by a lot of younger kids, sadly," he said. "Imagine growing up not knowing about Charlie Parker.

"I suppose I'll have to substituted somebody else—maybe Aretha [Franklin], but I guess she's getting too well known."

Some of the other questions (with answers below) are:

1. Who did "Stagger Lee' kill?

(a) His mother, (b) Frankie, (c) Johnny, (d) His girlfriend, (e) Billy.

2. A "Gas Head" is a person who has a ———.

(a) Fast-moving car, (b) Stable of "lace," (c) "Process," (d) Habit of stealing cars, (e) Long jail record for arson.

3. If a man is called a "Blood," then he is a ———.

(a) Fighter, (b) Mexican-American, (c) Negro, (d) Hungry hemophile, (e) Redman or Indian.

4. If you throw the dice and 7 is showing on the top, what is facing down?

(a) seven, (b) snake eyes, (c) boxcars, (d) little Joes, (e) 11.

5. Cheap chitlings (not the kind you purchase at a frozen-food counter) will taste rubbery unless they are cooked long enough. How soon can you quit cooking them to eat and enjoy them?

(a) 45 minutes, (b) 2 hours, (c) 24 hours, (d) 1 week (on a low flame, (e) 1 hour.

6. "Down home" (the South) today, for the average "soul brother" who is picking cotton (in season) from sunup until sundown, what is the average earning (take home) for one full day?

(a) $.75, (b) $1.65, (c) $3.50, (d) $5, (e) $12.

7. A "handkerchief head" is ————.

(a) a cool cat, (b) a porter, (c) an Uncle Tom, (d) a hoddi, (e) a preacher.

8. "Jet" is ————.

(a) an East Oakland motorcycle club, (b) one of the gangs in "West Side Story," (c) a news and gossip magazine, (d) a way of life for the very rich.

'Walk Together, Children'

9. "And Jesus said, 'Walk together, children ————.'"

"(a) Don't get weary. There's a great camp meeting. (b) For we shall overcome. (c) For the family that walks together talks together. (d) By your patience you will win your souls (Luke 21-19). (e) Mind the things that are above, not the things that are on earth (Col. 3.3).

10. If a pimp is up tight with a woman who gets State Aid, what does he mean when he talk's about "mother's day?"

(a) second Sunday in May, (b) third Sunday in June, (c) first of every month, (d) none of these, (e) first and fifteenth of every month.

11. Jazz pianist Ahmed Jamal took an Arabic name after becoming really famous. Previously he had some fame with what he called his "slave name." What was his previous name?

(a) Willie Lee Jackson, (b) Le Roi Jones, (c) Wilbur McDougal, (d) Fritz Jones, (e) Andy Johnson.

12. What is Willie Mae's last name?

(a) Schwartz, (b) Matsuda, (c) Gomez, (d) Turner, (e) O'Flaherty.

13. What are the "Dixie Hummingbirds"?

Klan or Deacons

(a) a part of the KKK, (b) a swamp disease, (c) a modern gospel group, (d) a Mississippi Negro, paramilitary group, (e) Deacons.

14. "Bo-Diddley" is a .....

(a) game for children, (b) down home cheap wine, (c) down home singer, (d) new dance, (e) Moejoe call.

15. "Hully Gully" came from

(a) East Oakland, (b) Fillmore, (c) Watts, (d) Harlem, (e) Motor City.

16. Which word is most out of place here?

(a) splib, (b) blood, (c) grey, (d) spook, (e) black.

The answers:

1. (e); 2. (c); 3. (c); 4. (a); 5. (c); 6. (d); 7. (c); 8. (c); 9. (a); 10. (e); 11. (d); 12. (d); 13. (c); 14. (c); 15. (c); 16. (c).

New York Times
July 2, 1968
P. 16
N.J.

Hermann Hesse – Prophet of Youth *Stephen Koch*

THE NEW REPUBLIC

July 13, 1968, 40 cents

A Report on The Paris Talks

Ross Terrill

I Didn't Mean This – *Robert Brustein*

Humphrey Strategy – *John Osborne*

Candidates & Cities – *Michael Miles*

Why Coalition? – *The Editors*

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815 SIXTEENTH STREET, N.W.
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PHONE: NATIONAL 8-3870

September 26, 1968

MEMORANDUM

TO: Presidents and Education Directors of National and International Unions

FROM: George T. Guernsey, Asst. Director, Department of Education

SUBJECT: ADVANCED SOUTHERN LABOR SCHOOL

George T. Guernsey

Each year, as you probably know, the AFL-CIO Education Department in cooperation with the Southern Labor School sponsors a one-week institute open to full-time state body officers and international union representatives or business agents working full time in the South.

Each state AFL-CIO is allowed to nominate three international union representatives whom they would like to attend the institute. These are submitted to the AFL-CIO Education Department by the state AFL-CIO; our Department in turn submits these names to the international unions to see whether it will be possible for the southern representative to attend the one week institute.

This year the school is being held at the Flagship Motel in Galveston, Texas, November 17--22. The cost of the institute for room, board and tuition is $90 for two delegates to a room or $100 for a single room.

Only full-time southern representatives on international union staffs can be nominated by you for this institute. In the past, more than twenty international unions have selected southern staffs for the Advanced Southern Labor School. An additional twenty representatives have come from southern state labor bodies. If you would like to nominate a southern staff member to attend the school, a form is enclosed for your nomination. I would like this returned to me no later than November 1.

I am enclosing a list of the delegates who have attended the institute in 1967 and 1966, as well as a copy of the program for 1967.

Please let me hear from you soon.

Enclosure

1967 ADVANCED SOUTHERN LABOR SCHOOL

Buena Vista Hotel
Biloxi, Mississippi
November 12 - 17, 1967

TENTATIVE PROGRAM

Sunday	4:00	Registration
	7:30 - 9:00	Orientation and Discussion of Program
Monday	9:00 - 12:00	"Organized Labor in the South: Status and Prospects," Ray Marshall, University of Kentucky
	2:00 - 4:30	"Organized Labor in the South: Status and Prospects," Ray Marshall, University of Kentucky
	7:30 - 9:00	New Films
Tuesday	9:00 - 12:00	"Education and the Labor Movement Face the Challenge of Youth," Walter G. Davis, Director, AFL-CIO Department of Education
	2:00 - 4:30	Southern Advisory Committee on Civil Rights, Don Slaiman, Director, AFL-CIO Department of Civil Rights
	7:30 - 9:00	Southern Advisory Committee on Civil Rights, Don Slaiman, Director, AFL-CIO Department of Education
Wednesday	9:00 - 12:00	"Organizing Problems in the South," William Kircher, Director, AFL-CIO Department of Organization
	2:00 - 4:30	Boat Ride and Fishing Trip
	7:30 - 9:00	Boat Ride and Fishing Trip
Thursday	9:00 - 12:00	"Issues of the '68 Election in the South," Vernon Jordan, Southern Regional Council; Dan Powell, Wilbur Hobby, Earl Davis, National COPE Staff; Roy Evans, Secretary-Treasurer, Texas State AFL-CIO
	2:00 - 4:30	"Developing Understanding of State AFL-CIO Programs with International Union Representatives"
Friday	9:00 - 12:00	"Poverty in the South"
	12:00 Noon	Graduation Luncheon

WIRE ALL REGISTRATIONS DIRECTLY TO J. BILL BECKER, PRESIDENT, ARKANSAS STATE AFL-CIO, 1408 REBSAMEN PARK ROAD, LITTLE ROCK, ARKANSAS 72202, NO LATER THAN WEDNESDAY, NOVEMBER 8.

RETURN TO: Mr. George T. Guernsey, Assistant Director
AFL-CIO Department of Education
815 16th Street, N.W.
Washington, D. C. 20006

DUE DATE: November 1, 1968

SUBJECT: LABOR SCHOOL FOR SOUTHERN STAFF
(Full-time Staff Only)

I would like to nominate the following to attend the 1968 Advanced Southern Labor School to be held in Galveston, Texas at the Flagship Motel, November 17-22:

NAME _____

UNION _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

YOUR NAME _____

UNION _____

ADDRESS _____

CITY _____ STATE _____ ZIP ____

DELEGATES TO THE 1966-1967 ADVANCED SOUTHERN LABOR SCHOOL

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Tampa, Florida

Charles H. Arnold
I.U.E.
Jackson, Mississippi

Adelle Bearden, Central Arkansas
Labor Council
Little Rock, Arkansas

W. Willard Barbee, President
North Carolina State AFL-CIO
Raleigh, North Carolina

B. W. Becker, President
Arkansas State AFL-CIO
Little Rock, Arkansas

Lucian Bledsoe
I.B.E.W. System Council
Richmond, Virginia

A. R. Brewton
I.B.E.W., Local 716
Houston, Texas

R. E. Brown, Greensboro
Central Labor Union
Greensboro, North Carolina

Mary B. Cameron
Representative, I.L.G.W.U.
Atlanta, Georgia

Lee Case, Sec.-Treas.
Tennessee State Labor Council
Nashville, Tennessee

Julian F. Carper, President
Virginia State AFL-CIO
Richmond, Virginia

Isom Clemon
Laborers Union, Local 1410
Mobile, Alabama

Ernest Colbert, Sr.
Laborers Union, Local 689
New Orleans, Louisiana

Raif Daniels
Longshoremen's Local #1410
Mobile, Alabama

Robert Dehil
I.L.G.W.U., Local 371
Washington, Georgia

Guy H. Dickinson
R.W.D.S.U.
Atlanta, Georgia

Aubrey B. Dixon
I.U.O.E., Local 500
Charlotte, North Caolina

George Dixon, Vice-President
Longshoremen's L.U. 1410
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Art Hallgren, First Vice-President
Florida AFL-CIO
Miami, Florida

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A.C.W.A., Local 832
Columbia, Tennessee

Brenda Hoover
I.L.G.W.U.
Taylorsville, North Carolina

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Laborers Union, Local 1057
Laredo, Texas

Jerald Jacobs, Sec.-Treas.
Arkansas State AFL-CIO
Little Rock, Arkansas

George T. Johnson
Jackson, Miss. Central Labor Body
Jackson, Mississippi

E. T. Kirkland, Sec.-Treas.
South Carolina Labor Council
Columbia, South Carolina

Thomas Knight, Sec.-Treas.
Mississippi AFL-CIO
Jackson, Mississippi

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Austin, Texas 78711

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Houston, Texas

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Atlanta Bureau Chief, Newsweek
Atlanta, Georgia

Walter G. Davis, Director
AFL-CIO Department of Education
Washington, D. C.

Roy R. Evans, Sec.-Treas.
Texas State AFL-CIO
Austin, Texas

John Fenton
National Labor Relations Board
New Orleans, Louisiana

Marvin Friedman
Research Dept., AFL-CIO
Washington, D. C.

Steve Gordon
National Labor Relations Board
Washington, D. C.

George Guernsey
Assistant Education Director
AFL-CIO
Washington, D. C.

Norman Hill
A. Philip Randolph Institute
New York, New York

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Southern Regional Council, Inc.
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University of Kentucky
Lexington, Kentucky

Arnold Mayer, Legislative Representative
Amalgamated Meat Cutters
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READERS' DIGEST
September 1968

Condensed from
NATIONAL CIVIC REVIEW

More Americans are on the dole now, in the midst of prosperity, than at the height of the Depression. Here is what one county is doing to reverse this disturbing trend

They Turn Welfare Recipients Into Taxpayers

NAT AND YANNA BRANDT

SUFFOLK COUNTY, New York, an 86-mile stretch of Long Island, is one of the fastest-growing counties in the nation. Part rural, part urban—with a maze of industrial parks on its western side, and dotted with potato and duck farms at its eastern end—it harbors a million-plus residents, 40-percent more than in 1960. This growth has brought with it that bogey of local government—a big welfare problem. But, as in few other places, the county has developed an excitingly effective program for turning taxeaters into taxpayers.

It started two years ago when Lou V. Tempera, Commissioner of Suffolk County's Department of Labor, recognized a curious paradox: while the welfare budget was mushrooming to $23,600,000, thousands of jobs were going begging. Companies were even resorting to busing workers from New York City, 40 miles away. To Tempera and to Deputy Commissioner (later Commissioner) of Social Services James E. Kirby, the solution seemed simple: let their labor and welfare departments work together. "You give me the people," Tempera said to Kirby. "I'll find them jobs."

Tempera, 42, a former tool-and-die maker and union shop steward, is a vigorous, athletic man with a drive to get things done. Rather than approach the county board of supervisors—which would have to approve any such joint project—with just a plan, he and Kirby decided to find jobs for ten particularly difficult welfare cases first. He ordered his deputy, George Meyer, to do it.

Meyer, to his own amazement, found jobs for nine of the men fairly easily. But the tenth, Bill Swink,* was a problem. "He didn't want to work," Meyer explains. A sheet-metal worker who had quit because he couldn't stand the noise, Swink took job after job that Meyer found for him, but always managed to get himself fired within a day or so. Then, on the 18th attempt, Swink stuck it out, as a tool grinder—ironically, noisier than sheet-metal work. He finally realized that Meyer *cared*, and wasn't going to give up.

Faced with the fact of ten men on jobs, doing well, and aware that potentially millions of dollars could be saved, the county supervisors created the Coördinated Welfare Job Placement Program. It went into operation in September 1966, and later received a budget of $45,000.

The project's real test had just begun. What had been possible to do for ten men might not be so easy to do for a larger group. Commissioner Kirby designated a thousand individuals—mostly men, representing, with their families, nearly 5000 of the 35,000 on Suffolk's welfare lists—who he felt could be helped without further training. Typically, they lived in modest private homes, heavily mortgaged, had four children, and were drawing about $350 a month in benefits. Used to living on handouts, they were dependent and apathetic, tired now of even trying.

A key point of the plan was that any suggested job had to be one the recipient liked: not just any menial job, but one that gave him dignity and status, and a reasonable salary—in short, one that would make it worth his while to get off welfare. Then, if a man repeatedly refused jobs, the Labor Department could recommend that he be dropped from welfare. "It may seem callous and inhuman," Tempera admits, "but we had to be armed with this weapon to make the welfare recipient realize that we wouldn't take no for an answer. I think we are showing more compassion in the long run."

The rule brought resistance from social workers, who raised the specter of "another Newburgh"—the Hudson River town that made headlines in 1961 by forcing welfare recipients to work out their grants in municipal jobs. Tempera, with Kirby's help, convinced the social workers that the program was not proposing forced labor just to get a person off welfare. Certain facts, he pointed out, had to be faced. Patterns of despondency and dependence go hand in hand with welfare, and defeat many before they really have the chance to get a new start. Motivating welfare recipients is not easy. They must be pushed into trying until they succeed.

Tempera hired five "job developers," men with business and manpower experience. They were told to do everything and anything to get a man working and in the right job—from taking him for a shave, or buying him a new shirt, to accompanying him on job interviews. Flexibility and perseverance were the key. The job developers were also told to play fair with the employers. If a man had a prison record or other personal problems, the facts should not be concealed.

Initially, employers had the usual stereotyped picture of a welfare recipient—lazy, shiftless, delighted to be getting a free ride. They feared that they would be used as a dumping ground. But many, after being persuaded to hire one on a trial basis, and finding him to be a productive worker, have asked for others.

At least half of a job developer's day is spent on the phone, sounding out employers about job possibilities or checking up on a worker. Is he learning? Does he seem happy? Is the employer satisfied? The developer also continues his supportive relationship with the worker, trying to anticipate trouble.

The project's offices in the town of Commack hum with activity. Usually eight or ten people are waiting, mostly men. Jim Moran's name is called. He walks slowly into the job developer's office.

"What kind of work have you been doing?" the questioning begins. The questioner goes on to find out about the man's family, previous employers, work preference.

Moran, 27 years a construction worker, has never been able to get together the union initiation fee.

The job developer begins to make calls, consulting an extensive file of companies. On the 12th call, Moran has an appointment for an interview with a firm that needs a worker all year round. He shakes hands and smiles gratefully.

Will Moran keep the job if he gets it? Hard to say. There's a lot of repeat business. Longtime patterns of inactivity and apathy are hard to break. A job takes discipline. The average is two referrals before a permanent placement is achieved.

John Hunter is a case in point. At 43, he was just able to make ends meet with his salary as a paint salesman. He lived with his wife and seven children in a small house, and life was difficult but bearable. Then Hunter was stricken with hepatitis and hospitalized for several months. He couldn't return to his former job for health reasons, and the bills took what little savings he had. Desperate, he forged a $10 check, was caught, convicted and placed on probation. When he tried to find

*All names of welfare recipients have been disguised.

(cont'd on p. 6)

PAGINATION INCORRECT

THEY TURN WELFARE RECIPIENTS INTO TAXPAYERS

(continued)

work he was rejected, sometimes because of his record, sometimes because he was "too old." He began drinking heavily.

The Hunters finally applied for welfare—a humiliating experience for both of them. Then Hunter was referred to job developer George Carr. After questioning him extensively, Carr learned that he had once worked as an accountant. He found Hunter a job after only a few phone calls. He told the employer, a manufacturer of coin-operated washing machines, about the forgery, and warned Hunter that "one sign of drinking and you're out."

That was six months ago. Within a month, Hunter won a $5 raise, and he is now handling the concern's billings, credits and auditing. He has stopped drinking.

Hunter's take-home salary is $382 a month, and he still gets welfare supplements totaling $149. Any further raises he gets will be subtracted from the $149, and he hopes to erase that support before the end of the year. (In many communities, *any* money a recipient earns has been automatically subtracted from his welfare grant, so there was little incentive to look for a job.)

After nearly two years in operation, the Coördinated Welfare Job Placement Program has paid off handsomely. It has found jobs for 1200 persons, who with their families represent some 4800 welfare recipients. The expected direct saving to the taxpayer, this year alone, is $4,300,000. The county stands to benefit also from the taxes the former recipients will be paying and the new purchasing power they represent. Of the 1200, about half have worked their way off welfare completely. The average recipient starts at about $2 an hour, and it may take him a year and a half to get out of debt, off supplemental welfare, and trained enough to command a higher salary. Thus far, only 38 persons have had to be dropped from the welfare rolls for refusal to work. Of those, 17 never reapplied for welfare, six got jobs on their own, and two moved away. Five were reinstated on welfare in full and the families of the remaining eight still receive some benefits.

Tempera, Meyer and Kirby still have their work cut out for them. As yet, they have been unable to help many mothers—who with dependent children represent the largest category of welfare costs—because the county has no day-care centers. Plans are being made to set up such centers at key industrial complexes and, once these are established, the county's plan will aid an additional 11,500 people. Tempera firmly believes that there is no such category as "unemployable," that the potential exists for helping all but the aged and the infirm.

With Suffolk's success has come a change in attitude. "Our statistics show that most welfare recipients *want* to work," says Tempera. "But they lack the skill to identify the work they'll be happy with. That's where we can help." If this is true in Suffolk County, then why not in every city and county in the nation?

Los Angeles Times
Los Angeles, California
Sept. 5, 1968

Jobs Experiment

THE CONCENTRATED Employment Program, which has had its share of criticism while on an experimental basis here and in 19 other cities, has the qualified approval of local antipoverty directors for a second year of operation.

The Economic and Youth Opportunities Agency board approved a proposal for $6,553,615 in federal funds to support the effort to make hard-core unemployables fit for jobs —$1,295,278 less than was available for the past 12 months.

CEP, conducted here in two target areas (Watts and part of East Los Angeles), combines various federal programs and fund sources in an attempt to package a sophisticated approach.

Among major modifications in the new proposal:

The Neighborhood Youth Corps component is being phased out of this particular program and standard on-the-job training is being dropped altogether in favor of a tie-in with the National Alliance of Businessmen and those Labor Department programs which subsidize hiring and training by private firms while guaranteeing some job permanency.

One of the biggest problems during CEP's first year has been its inability to contract for enough on-the-job training spots with companies, many of whom are unwilling to accept hard-core trainees under the standard on-the-job training terms.

AFL-CIO NEWS, WASHINGTON, D. C., AUGUST 31, 1968

Success of 'Outreach' Projects Attested by New Trades Jobs

THE AFL-CIO's civil rights director reported growing success of union-sponsored "outreach" programs aimed at bringing minority group youngsters into building trades jobs.

Donald Slaiman said "as a direct result" of the effort, more than 1,500 young Negroes and other minorities have entered building trades apprenticeships over the last three years—most of them during the last year.

But, he cautioned, apprenticeships alone can't solve the severe youth unemployment problems in the ghettos. The outreach programs are "models for finding good jobs . . . with a high degree of upward mobility," but there has to be more of this kind of effort and a general expansion of job opportunities for all workers to make a real dent in ghetto unemployment, he said.

Slaiman appeared on Labor News Conference, an AFL-CIO produced public service program aired Tuesdays at 7:35 p.m., EDT, on the Mutual Radio Network.

Slaiman said that going beyond the "simplistic view that the only problem was discrimination" has been one of the keys to success in the apprenticeship programs.

THERE IS NOW "realization that recruiting, prepping and motivating" qualified youngsters are essential, he noted, and those elements are emphasized in the outreach programs carried out by the Urban League, the Workers Defense League, the A. Philip Randolph Institute and other groups, in cooperation with building trades unions and councils, with federal financial help.

Questioned about the upcoming elections, Slaiman predicted that "in spite of all the talk of boycott and all the talk of black capitalism, the overwhelming majority of Negroes and other minorities who get registered and get out to vote will vote their own interests, which happen to coincide with the programs and candidates that the labor movement endorses."

Reporters interviewing Slaiman on Labor News Conference, were William Eaton, Washington correspondent for the Chicago Daily News, and Neil Gilbride, labor correspondent for the Associated Press.

U.S. Department of Labor
Manpower Administration

THE MANPOWER DAILY REPORTER

Room 517
1730 M Street, N.W.
Ext. 3788

MONDAY, OCTOBER 7, 1968

NEW YORK TIMES
OCT 5 1968

20% OF PAYCHECKS BILK YOUTH PLAN

One of Five Issued in 1967 Held to Be Fraudulent

By RICHARD REEVES

A spot check of the city's Neighborhood Youth Corps records indicated that one of five corps paychecks was embezzled during part of the summer of 1967, according to reports prepared by Federal and city investigators.

That was the first major discovery of a series of investigations into the operations of the city's $1.36-billion-a-year Human Resources Administration.

The latest discovery, investigators said yesterday, is that fictitious work sites — where checks were sent to nonexisting employes — were being used by embezzlers as early as last January. City officials had previously said the work-site frauds apparently began last August.

Although various officials have offered estimates of how much Youth Corps money was missing, investigators said that studies by various agencies were all in preliminary stages and that it would be months before the final amount was known.

The initial estimates have ranged from about $1.5-million by city officials—who once announced that the total loss was $490,000—to about $6-million listed in some investigation reports.

The investigations by H.R.A. auditors, the city Department of Investigation, the United States Department of Labor, United States Attorney Robert M. Morgenthau and District Attorney Frank S. Hogan have resulted in the arrest of seven present and former H.R.A. employes, including Mrs. Helynn Lewis, who was recently dismissed as the adminstration's $19,000-a-year fiscal director.

Mrs. Lewis was arraigned yesterday in Los Angeles on charges of grand larceny and possession of stolen goods in connection with the embezzlement of $22,912.

Although Investigation Commissioner Arnold G. Fraiman had originally announced that the alleged embezzlement from an employe loan fund was not connected with the Youth Corps, he said yesterday that Mrs. Lewis would be accused of illegally transferring the money from Youth Corps funds to the loan fund.

Mrs. Lewis, who was arrested at a Los Angeles motel on Wednesday, waived extradition to New York and was ordered held in $10,000 bail in the custody of Edward Seidlick, an Investigation Department detective. They were scheduled to fly here last night.

Major investigations of H.R.A. began early this year when the Labor Department which has provided $51-million of the $61-million spent on the youth corps in the last two years, began a series of routine audits, according to Edward Weintraub, a department.

One audit by Federal and city investigators showed that one of each five paychecks was a "duplicate," a check issued against the same Social Security number as an earlier check the same week. In reporting their findings, the investigators reduced the "duplicate" ratio to 1 in 10 to account for statistical error. But even allowing for error, their report said, if the pattern held, about $1.8-million would have been embezzled that summer.

"That figure seems a little high at this point," Mr. Weintraub said yesterday. But no one has made any conclusions yet — we don't know how much money is lost. This is the biggest governmental mess I've ever seen."

In April, after more investigation, Mr. Fraiman announced that "at least $250,000" was missing in what he described as "pilferage." The minimum estimate for the summer of 1967 has now been raised by city officials to $450,000.

The loss for the summer of 1968 was first announced as $240,000 by Mr. Fraiman, but Human Resources Administrator Mitchell I. Ginsberg said Tuesday that the loss might "be under a million."

False Site Used in January

The two officials attribute the loss to employes who created fictitious work sites and cashed checks made out to nonexistent corps members "working" at those sites. The false work-site scheme was believed to have been initiated during the summer, but investigators said yesterday they had just discovered that fictitious sites were used as long ago as last January.

"If they used them in January," one investigator said, "they may have been used in 1967 and that would mean more money is missing than we thought. We have a lot more work to do."

Because of the investigations, the Labor Department has threatened to end city Youth Corps sponsorship on Oct. 31, unless reforms are introduced. The Federal officials want the power to review the appointments of officials like Mrs. Lewis, and want stricter inspection procedures for work sites.

Mr. Ginsberg has said the city will make the necessary reforms before the Oct. 31 deadline and Federal officials have said they will do everything possible to avoid transferring the summer job program to an outside agency.

The Youth Corps, which is designed to provide employment for slum youths, at $1.50 an hour, employed 43,000 people in the summer of 1967 and about the same number in the summer of 1968.

CHICAGO TRIBUNE
OCT 5 1968

TELL TRAINING PROJECTS FOR UNEMPLOYED

Program to Teach 7,503 Persons

[Chicago Tribune Press Service]

Washington, Oct. 4—A total of 144 new classroom manpower training projects to teach job skills to 7,503 unemployed or underemployed persons in 31 states were announced by Willard Wirtz, secretary of labor, and Wilbur J. Cohen, secretary of health, education, and welfare.

Skills to be taught range from hotel and restaurant cooking to psychiatric aid, and from landscape gardening to outboard motor and boat repairing. All are areas in which trained workers are needed.

The approvals included training for 782 in health occupations, where there is a marked shortage of skilled personnel. Besides 359 practical nurses and 336 nurses' aids, approvals were made for training 20 medical secretaries in Rochester, Minn.; 30 psychiatric aids in Madisonville, Ky.; 12 dental assistants in Louisville; and 15 surgical technicians in Little Rock, Ark.; and 10 in Greenville, Ky.

Need Office Workers

Another heavy field was that of secretary, clerk-typist or stenographer, for which there were 568 approvals.

Training was authorized for 500 auto mechanics and auto body repairmen. In California, 25 persons will be trained as tire recappers.

Eighty hotel and restaurant cooks ae to be trained, 40 in Houston and 40 in Chandler, Ariz.

An Eldon, Mo., project will give 40 weeks of training to 30 persons in the repair of boats and outboard motors. The courses will be taught in the city's public school facilities.

A Norfolk, Va., project was approved to give two years of highly-developed training to 20 persons to qualify them as "agriculture and landscape specialists." A repeat of a successful course started two years ago, this training is designed to produce supervisory personnel for federal and state forestry positions, and for jobs with large private landscaping firms. Training will be conducted at the Norfolk Vocational and Adult Education center, at a cost of $81,514. The state of Virginia will furnish $3,711 of the total.

Self Help Idea

Another approval makes $228,323 available to pay for the technical training for 380 disadvantaged persons thru the Opportunities Industrialization Center in Erie, Pa. A contract drawn by the department of health, education, and welfare will cover use of this money. Other contracts with other funding are drawn by the department of labor and offices of economic opportunity, in a tri-agency funding arrangement.

The OIC is a self-help venture, focused primarily on Negroes, which gives prevocational and job skill training, and enlists substantial community and industry assistance. OIC trainees receive no living or transportation allowances.

The 144 projects will cost $16,748,621, with the federal government providing $15,947,435 in manpower development and training act funds, and the states contributing $801,186.

WALL STREET JOURNAL

OCT 7 1968

Negro Union Apprentices Doubled From End of 1966

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON—Negro participation in union apprenticeship programs nearly doubled in 18 months, the Labor Department reported.

An estimated 8,100 Negroes were enrolled as of June 30 in Government-registered apprenticeship programs, up from about 4,200 at the end of 1966, Labor Secretary Wirtz said. The number of Negroes entering such training rose from 1,800 during 1966 to 2,630 in 1967 and 1,400 in the first half of this year, he said.

Despite the improvement, the union training programs, long criticized for alleged discrimination against Negroes, remain overwhelmingly white. Negroes made up 3.6% of the 225,000 apprentices registered in mid-1968, compared with 2.3% in 1966.

The Labor Secretary said that programs sponsored by the Labor Department to recruit more Negroes for apprenticeship had played a "decisive role" in the improved Negro participation.

AFL-CIO NEWS, WASHINGTON, D. C., OCTOBER 5, 1968

Iowa Institute Explores Use Of Job Tests

Iowa City—A group of union representatives spent a week at the University of Iowa here focusing on an increasingly controversial subject—the use of tests by employers to hire and promote workers.

The occasion was the second annual AFL-CIO Institute on Testing which brought together 20 full-time representatives of eight unions and a faculty drawn from universities, the labor movement and the government.

The institute is sponsored by the research and education departments of the AFL-CIO and the University of Iowa's Center for Labor & Management.

Areas explored included the development and validity of tests, their administration, the union's right to bargain over them, how to adapt tests and the employers' obligation to furnish full information on them.

A number of speakers, including AFL-CIO Education Dir. Walter G. Davis and Rudy Oswald of the AFL-CIO Dept. of Research, described ways in which managements are using the tests to undercut union seniority clauses.

They cited a number of arbitrators' rulings of misuse of the tests. One session was devoted to preparing and presenting an arbitration case on tests.

Guaranteed Income

NEW YORK TIMES OCT 7 1968

Children's Allowances for the 'Working Poor'

By A. H. RASKIN

The most restless mind in the 175,000-member New York Teamsters Joint Council belongs to Nicholas M. Kisburg, its rough-hewn, rougher-spoken research director. The giant truck union does not go in much for elaborate statistical presentations in collective bargaining. Most of its leaders believe that all the economic argument they need is summed up in the single sentence: "Give us what we're asking or nothing rolls."

That leaves Kisburg plenty of free time in which to pursue his principal interest, an analysis of the meteoric growth in the municipal welfare rolls in a decade of unparalleled general prosperity. He has watched with even more dismay than the Budget Director the shift in the ration of relief recipients to workers employed in private jobs in this city. In 1957 there was one person on welfare for every ten earning a paycheck in private industry, now there are three. The total welfare population has now passed 900,000, and nearly 550,000 of these are children.

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Kisburg sees enough social dynamite in these figures to blow up the community, especially since so much of the increase results from the acknowledged incentive that welfare provides for the disintegration of families and the rejection of low-paid jobs. Seventy per cent of the rise in Aid to Dependent Children, the biggest sector of relief, results from illegitimate births and illegal abandonment of mothers by their mates.

The current basic welfare allowance comes to more than $300 a month for a family of four and it goes up with every additional child. That means a worker holding a private job at $2 an hour or less can do his family a favor, economically, by moving out and letting the city take over his bills.

Quite apart from the human havoc created by this shattering of normal family relations, the political consequences are reflected in the growth of "black revolutionary" movements to force still higher relief standards through welfare riots and in the tidal wave of support for George C. Wallace's Presidential candidacy among white trade unionists.

Out of Kisburg's soul-searching has come a novel proposal for re-establishing the Puritan ethic, with its focus on a work-oriented, family-based society, by incorporating children's allowances of $5 a week for each child in a worker's regular weekly pay. Organized labor has traditionally frowned on all such approaches on the ground that they would undermine the principle of equal pay for equal work, but Civil Service Local 237 of the Teamsters, headed by Barry Feinstein, will test it in negotiations with the City Housing Authority this month.

The Lindsay administration, beset with astronomic contract demands from police, fire and sanitation unions, is not going to let the Housing Authority workers open another door to the municipal treasury. But the Kisburg-Feinstein sally is helping to create a climate that Mitchell I. Ginsberg, the city's Human Resources Administrator, hopes will bring Federal money for a much broader experiment in across-the-board children's allowances to help the working poor. Its aim is to end the two-pot system which makes it necessary for fifteen thousand New York workers now to get part of their income in full-time wages and the rest in relief and that has caused uncounted thousands more to shun any work in favor of total reliance on welfare.

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The Office of Economic Opportunity has vetoed New York as the site of a demonstration project in children's allowances for fear that the city's size would speedily exhaust the Federal antipoverty funds that could be allocated to the venture. However, Mayor Lindsay and Mr. Ginsberg plan to meet with Secretary of Health, Education and Welfare Wilbur J. Cohen next week in hopes of getting money from his agency.

The entire undertaking springs from a recognition that the existing welfare structure is bankrupt of social purpose and that its perpetuation may lead to fiscal bankruptcy as well. What is sought is a floor under family income that will banish the indignities of the existing system, heighten inducements for taking jobs and erase the present prickly line between those who get benefits and those who pay for them in bigger taxes.

Family allowances represent the route taken by virtually all the nations of Europe, Canada, Australia, New Zealand and South America. Two principal arguments have been raised against the system's adoption here. One is that children's payments would be too costly if they were given to everybody and made high enough to be consequential by American standards. Thus, a universal allowance of $25 a month per child would come to over $20 billion a year. But all such estimates are delusive because tax policy could be adjusted to recoup payments to wealthy parents and also because the hidden costs of child neglect in delinquency, disease and other social ills never goes into the equation.

The other objection is that subsidizing children makes little sense when public policy is aimed at curbing the population explosion. However, the evidence in other countries, including those with active birth-control programs, provides no support for the idea that family allowances spur births. They merely contribute to a better living standard for those born.

The fact in this city is that there is no limit on births for those who depend entirely on welfare. Mothers having their tenth, eleventh or twelfth illegitimate child on relief have their budget expanded with every new child. Should not those who work have some systematic allowance to guard children against suffering?

A. H. RASKIN is assistant editor of the editorial page.

U.S. Department of Labor
Manpower Administration

THE MANPOWER DAILY REPORTER

Room 517
1730 M Street, N.W.
Ext. 3788

FRIDAY, OCTOBER 11, 1968

Guaranteed Income

WALL STREET JOURNAL
OCT 11 1968

Replacing Welfare

Test of 'Negative Tax' To Help Poor Families Starts in New Jersey

Grants Supplement Earnings; System Is Designed to Give People Incentive to Work

Seeking National Uniformity

By JONATHAN SPIVAK
Staff Reporter of THE WALL STREET JOURNAL

TRENTON, N.J.—A 24-year-old Negro cook, struggling to support his wife and three sons on $86 a week, received a handsome surprise the other day: Out of the blue, an odd organization known as CGF handed him a $21.75 check and promised to continue the stipends every two weeks for the next three years.

CGF—the initials stand for Council for Grants to Families—has also showered such tax-free gifts on more than 100 other impoverished families in this drab industrial city. A 52-year-old jobless laborer was given $76 to help provide for his family of four; a $70-a-week water department employe with nine children received $82.

These families have been encouraged to spend the sums any way they wish and assured that the money will follow them in any moves throughout the continental U.S. The only rigid requirement: The recipients must file an accurate monthly report on earnings and number of dependents.

The motive behind such munificence is not sweet charity but economic experimentation. With money from the Federal Office of Economic Opportunity, CGF is testing for the first time in this country the impact of a widely discussed alternative to the public welfare system—the guaranteed annual income. "It's unique in the history of social sciences, an experiment with a new political and tax instrument which could affect millions of people and cost billions of dollars," comments James Lyday, an OEO official.

The Negative Income Tax

The New Jersey test involves a form of guaranteed income commonly known as the negative income tax. Under this arrangement, poverty-stricken families receive payments from the Federal treasury, with the amounts determined by income and family size, instead of paying "positive" income taxes. To the proponents, this approach offers several advantages over the present welfare system.

The negative tax payments would be based on a single national standard; welfare payments now vary drastically from state to state. All the poor would benefit, including the unemployed and those holding menial or part-time jobs; state welfare systems cover only certain categories, such as the aged, blind and mothers with needy children, and many states exclude the unemployed.

While the negative tax payments would vary with the recipients' earned income, as welfare benefits do, an increase in earnings of the poor would not cut the negative tax payments so sharply; most welfare recipients now gain nothing by working at low-paying jobs because their relief checks are reduced by an equal amount, though that rule will be eased somewhat by next July.

"Perhaps most important of all is the establishment of a rational incentive system which encourages the recipient to obtain work, rather than penalizing him or her for working," insists Robert Levine, the OEO's research head.

The Problem of Cost

Apart from the issue of work incentives, however, various objections face the proponents of the negative income tax. The primary problem is cost. Even a modest national program would cost about $2 billion a year, according to Mr. Levine, and most antipoverty specialists figure a healthy start would require outlays of $4 or $5 million annually.

Public misunderstanding is another potential obstacle. A "negative tax" remains a cloudy concept at best, and many noneconomists are baffled by its computations. Finally, despite all the criticism of the present welfare setup, many experts are convinced the most politically practical approach is to reform the existing system rather than start a new one.

Federal poverty-fighters hope favorable findings from New Jersey will at least dispel public worries that the poor will loll around at Uncle Sam's expense. They claim the guaranteed income's advantages over the present welfare system are considerable: Simplicity, equity and universality. On a national scale, the Treasury would make the payments automatically, based on a simple income statement by the poor.

The long-run outlook for some such sweeping welfare reform appears favorable, whoever takes over the White House in January. There's mounting discontent among academic specialists, public administrators and politicians with the disadvantages of New Deal-devised public assistance programs: Demeaning investigations, cumbersome regulations and senseless state-to-state variations and the deadening of economic incentive.

A Special Commission

Furthermore, late next year a prestigious Presidential Commission on Income Maintenance Programs, led by railroad executive Ben Heineman, is expected to deliver its recommendations. It's a good guess the group will support a change to some form of guaranteed income. Moreover, the panel's conclusions will be specific enough to serve as the basis for legislation. Although a Humphrey Administration could be expected to be most receptive to the panel's ideas, Mr. Nixon might pay heed to them, too. Even if the next Administration favors a guaranteed annual income, of course, Capitol Hill resistance might delay any move toward such a plan if, as many analysts predict, the next Congress is more conservative.

For the short run, however, budget limitations make modest enlargement of existing social welfare programs, including increased Social Security payments and perhaps liberalized public assistance grants, seem more likely.

In any case, the New Jersey test serves mainly as a precedent-setting attempt to grapple with the practical problems of a guaranteed income. Simple as the system seems, some Trenton participants have trouble under-

(cont'd on p. 4)

Los Angeles Herald-Examiner
October 8, 1968

Permanent Job Training Act Urged

WASHINGTON (AP) — Two members of President Johnson's Cabinet have recommended that Congress pass a national training act to provide permanent federal financial aid to job train-training programs in private industry.

Secretary of Labor W. Willard Wirtz and Secretary of Commerce C. R. Smith made the proposal yesterday in a report of the President's Task Force on Occupational Training in Industry.

"Congress should pass a national training act which would commit the federal government to supporting the highest level of training needed to meet the nation's economic, social, and security needs," the report said.

"It should also help individuals who wish to achieve their career objectives."

The report said the government should provide money for any industry job training program designed to train the disadvantaged, the hard-core unemployed, new workers entering the labor force, workers for critical jobs in short supply, and supervisory personnel who deal with the special problems of seriously disadvantaged workers.

The task force includes representatives of business, industry, organized labor and education. Vivian W. Henderson, president of Clark University in Atlanta, Ga., is chairman.

Los Angeles Times
October 3, 1968

A $65,257 grant from the Labor Department will enable the Mexican-American Opportunity Foundation to train 50 men to qualify as registered apprentices in the construction trades. The project is backed by the Los Angeles Building and Construction Trades Council. Federal approval was announced by Rep. John V. Tunney (D-Riverside).

YOUR MONEY'S WORTH

Help for Hard-Core Jobless

By SYLVIA PORTER

Jaime Juarez is an American of Mexican descent with a history as a school dropout, a drifter and an odd-job man who had never earned more than $2,000 in a whole year.

Juarez was 37 and had a wife and three children when he joined the Concentrated Employment Program in San Antonio in the spring of 1968.

After testing, counseling and tending to his medical needs, CEP sent him last April to General Dynamics, a giant company actively participating in President Johnson's JOBS (Job Opportunities in the Business Sector) program, spearheaded by the National Alliance of Businessmen.

For the first several weeks at General Dynamics, Juarez went through more testing, guidance, "special conditioning," training in metal working and woodworking. He listened well, learned well and worked well — well enough to be appointed, after three months, as a plant supervisor in charge of 25 of the plant's 107 employes. He now earns $535-a-month base pay, compared to a maximum of $35-$40 a week in the past.

The federal government has a training investment of about $3,500 in Juarez. In less than five years, that investment will be returned.

33,300 Success Stories

This is only one of more than 33,300 success stories about hard-core unemployed people who have moved into jobs via the Concentrated Employment Program, at a cost to the federal government averaging less than $2,000 each. Yet, outside of the professionals and those intensely interested in this problem, few Americans have even heard about CEP.

Despite so many years of unprecedented prosperity, there are still about 1,500,000 hard-core unemployed in this country, including about 500,000 in the 50 largest cities. "Hard-core unemployed" means a poor person who does not have a job and who also is one or more of these: a school dropout, a member of a minority, under 22 or over 45 years of age, or handicapped.

It was to help these hard-to-help Americans that CEP was created in March 1967 by Labor Secretary Willard Wirtz.

Today there are 72 CEPs in operation, 60 urban and 12 rural. Most are just gearing up, but they are expected to serve at least 150,000 people in the next 12 months.

Unified Effort

What the CEP tries to do is bring together in one unified effort all the Labor Department's various manpower programs to help the hard-core disadvantaged get ready for, find and hold permanent jobs.

Operating through a single local sponsor — a community action agency or a municipality — CEP seeks out the hard-core jobless in ghettos and other areas of concentrated unemployment and makes available such services as orientation, basic education, counseling, physical exams, medical treatment, day care for their children, work experience, training, job development and job placement.

It also identifies and locates the disadvantaged for the JOBS program, as in the case of Juarez and General Dynamics. A corporation trains the recruits and offers them jobs, with the corporation bearing the normal cost of training and the government paying for the additional costs of essential services.

As of Sept. 15, about 514 private firms in the JOBS program had hired and trained 49,410 people, at a federal investment of $141 million.

Other Programs

The CEP also operates through several other Labor Department programs. These include:

The Work Incentive Program, which helps shift people 16 years or older from welfare into productive employment.

The Neighborhood Youth Corps, which is designed to help poverty-level youths get part-time or nearly full-time jobs.

New Careers, which seeks to relieve critical manpower shortages by opening up subprofessional job opportunities for poverty-level adults at least 22 years old.

Operation Mainstream, which seeks permanent jobs at decent wages for adults with a history of chronic unemployment.

No matter who is the next president, all these manpower programs will be exhaustively reviewed. And they should be. But let us not permit the horror stories of waste, corruption and inefficiency to blind us to the brilliant value, in dollars as well as in social terms, of programs which can create today's Jaime Juarez.

Phoenix Gazette
October 4, 1968

Unemployable Battle Success Held 'Fantastic'

Employment of "hard-core unemployables" under a program of the National Alliance of Businessmen (NAB) has been described as "fantastically successful in the over-all picture" by its Phoenix director, Charles Miller, Ai-Research public relations assistant.

Miller pointed to a turnover rate of just under 5 per cent a month of 538 employes hired under the program during a four-month placement period. The number placed in jobs filled almost half the 1,221 positions pledged by 119 firms by Aug. 1, Miller said.

"WE CONSIDER this a highly successful retention rate in view of a normal turnover rate of 10 per cent a month experienced by a vast number of firms," Miller pointed out. "Further information we are working on shows that the turnover rate in the NAB program has gone as low as 2.5 per cent."

Business leaders in the United States were called upon early this year by President Johnson and Vice President Hubert Humphrey to help with the unemployment problem in target cities with civil disturbances.

"Response to the call was highly encouraging, indicating the willingness of business and industrial leaders to cooperate in an endeavor which has proved beneficial to the individual, the employer, the community and the nation," Miller said.

THE ALLIANCE requests that 2 per cent of the employer's payroll be hired from the hard-core unemployable group, he said.

One local situation, however, has drawn immediate consideration for plans to bring about corrective measures.

Arizona Public Service Co. has proposed the creation of a counseling service or "half-way house" in an effort to ease the transition of urban Indians from their situations into the working world.

THE PROPOSAL was made at a meeting of representatives of seven agencies concerned with Indian welfare after seven of 13 Indians hired left their jobs without offering any reason.

Two left after only one day and the others after several weeks, said Robert P. Radnich, APS senior employe development analyst.

He pointed out that urban Indians have no pre-employment program such as those available to African-Americans and Negroes. He said the establishment of such a program could prove helpful to other firms which may face the same problem. The firm has hired 55 under the plan and its over-all success has been noted.

A SALT-RIVER Project spokesman said the firm has hired 43 persons under the program since early spring, three of whom have quit for personal reasons and have been replaced by two others.

The only Indian in the program has remained on the job with no time lost, the spokesman said. He said, however, that SRP has been hiring Yaqui Indians, originally from Mexico, for about a half-century.

WASHINGTON POST OCT 11 1968

Potomac Watch

'Project Own' Offers Best Hope for Negro Firms

By William Raspberry

HOWARD J. SAMUELS, new head of the Small Business Administration, calls his brainchild Project Own; he describes it as "compensatory capitalism."

By whatever name or description, Samuels' ambitious proposals represent the biggest dose of hope ever administered to black business ownership in the ghetto.

He expects Project Own to help create minority-owned businesses at the rate of 10,000 a year by the end of the fiscal year, and double that rate a year later. Last year the total was only 2200.

"But even doubling the annual rate would only put us about one-fifth of where we have to be by 1971 if we are going to close the gap," Samuels told a meeting of SBA employes this week.

The "where we have to be" is reasonably full participation by blacks and other minorities in the business world. Samuels believes such participation is necessary for real racial equality.

"The Jews, Italians and the Irish tended to own business in the neighborhoods in which they lived," he said, and thus were able to prepare themselves for entry into the mainstream of commerce. Negroes, he believes, will have to take the same route.

ON THIS SCORE, he can find agreement among moderates and militants, white and black. But most of those who talk a good game of black entrepreneurship haven't the means to move from talk to action. Business ventures require investment capital and business experience, and there is precious little of either in the ghetto.

Project Own is designed to get around such problems by involving leading institutions and private industry along with community organizations.

Over the past few weeks, SBA officials have been meeting with bankers, in and out of Washington, to enlist their support of Project Own. Samuels describes their response as "one of the most historic revolutions of recent times."

"There is a whole new willingness on the part of banks to make loans in the inner cities of America," he said.

Washington banks in the past have shown very little interest in making SBA-guaranteed loans, both because of the added bookkeeping load and because of interest limits set by the SBA legislation.

IF SAMUELS really has persuaded local bankers to take a new look at ghetto financing, it will go a long way toward solving the capitalization problem.

To meet the second key problem for black businesses—the lack of business experience—Project Own is setting up a "buddy sysem" under which established businessmen will offer the benefit of their experiences to new entrepreneurs. Thus, a Negro who opens a men's clothing store would get help and advice from an established haberdasher.

In addition, Samuels is setting up special teams of SBA professionals to be located in ghetto areas and to provide liaison among prospective businessmen, the established business community, local community leaders, bankers and other Federal officials. He will be counting heavily on such groups as the Urban League, the National Business League and the Urban Coalition, he said.

A GOOD MANY Federal programs designed to help the black community have been crippled by spending cuts and face even more curtailment in the event the next administration is a conservative one.

Samuels believes Project Own will escape the budget ax. The agency already has enough money to make substantial numbers of smaller loans, and for the bigger loans it will rely on its guaranty authority, with private lenders putting up the actual cash.

Unforeseen problems are almost certain to crop up as Samuels' ambitious program unfolds.

But barring absolute catastrophe, Project Own just might make it possible for significant numbers of black people to enter the American mainstream without drowning in the process.

WASHINGTON POST OCT 11 1968

OEO Concedes Failure Of Chicago Gang Plan

The Office of Economic Opportunity failed in its attempt to salvage Chicago's youth gangs because, among other things, it didn't have enough professionals to work with trainees of limited learning capacity.

OEO director Bertrand M. Harding told Sen. John L. McClellan (D-Ark.) yesterday this was one of half a dozen reasons why OEO had trouble in its pilot project of working with the power structure of such gangs as the Blackstone Rangers.

Harding, who also criticized the "lack of neutrality" from the police and the press, said two other faults were inadequate on-the-job training and too few educational tools — even at the comic-book level— to communicate with dropouts.

He told the Permanent Investigations subcommittee there should have been more visits to plants "to offer a realistic picture of the work world," and more emphasis on tailoring jobs to fit elementary skills.

Nonetheless, Harding declared, the attempt in Chicago was a valid one even if no further Federal funds could be justified for it.

"Not only must the Federal Government act," he told the subcommittee, "it must act daringly and creatively. It must be willing to take responsible chances.'

ARMY TIMES OCTOBER 16, 1968

PO Training Spreads

WASHINGTON — Project Transition has spread to 107 military installations throughout the nation and is now imparting postal skills to more than 1,700 Vietnam era servicemen each month, according to Postmaster General W. Marvin Watson.

Interest continues to grow as servicemen in increasing numbers complete their tours of duty and return to the United States, seeking careers and places in their communities.

"We are happy to welcome them to the postal service," Watson said. "I want every serviceman to know that he has an invitation and an opportunity to join the post office and to continue his career in public service. As President Johnson has said, we intend to make the military a partner to productive careers."

At the start of the year, Project Transition was scheduled for 85 military installations; the expansion in locations already exceeds that goal by 26 percent, and if the present trend continues, the postal orientation courses soon will be turning out more than 2000 servicemen per month.

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MORE THAN 85 percent of those who take the 40-hour course pass a civil service examination for clerk-carrier or mail handler. Servicemen then may be employed at any post office where jobs are open. Although reporting procedures still are being established, it is known that 416 new veterans already have been hired.

That total too is expected to grow sharply. There is some lag between course completion and hiring because the serviceman may not be discharged until two or three months after he takes the course. Then he may choose to vacation for a month before he seeks employment.

NEW YORK TIMES
OCT 11 1968

COLLEGES URGED TO ACT ON CITIES

Gardner Says Schools Have Not Responded to Crisis

By ISRAEL SHENKER
Special to The New York Times

DENVER, Oct. 10 — John W. Gardner, chairman of the Urban Coalition, charged here today that universities and colleges "have not responded impressively to the urban crisis," and he urged them to get involved.

In an address to the 51st annual meeting of the American Council on Education, Dr. Gardner complained that institutions of higher learning "have been notably laggard."

Declaring that crises are instruments of renewal, he said that this was the moment "to break the settled mold of life and create frash patterns."

Dr. Gardner urged the creation of "urban task forces consisting of representatives of students, faculty, trustees and administration together with neighborhood representatives from the immediate vicinity of the campus."

He proposed in addition:

¶"Significant intellectual questions involved in urban affairs" should be dealt with in undergraduate courses, and every student should be exposed to the courses.

¶Colleges and universities should prepare students to work professionally in urban affairs or to teach in this field.

¶Institutions of higher learning should extend technical assistance to American cities—just as they do to foreign cities.

'The Great Resource'

Dr. Gardner emphasized "the great resource" represented by students, and told his audience of educators: "You are accustomed to thinking of their educational potentialities as a resource, but you may not be accustomed to thinking of their activist inclinations in the same light.

James Farmer, former director of the Congress of Racial Equality took time off from Liberal candidate in the 12th Congressional District of New York, to address the luncheon meeting at the Denver Hilton. He said that there was "more de facto school segregation than ever before" and that the policy of "color blindness had failed."

Mr. Farmer backed color contion."

Samuel . Proctor, the university of Wisconsin's dean for Special Projects, urged his colleagues tossee education as "something more than a rehearsal for life in suburban America at $18,000 a year."

He warned that the black student "looks for a sign of commitment and that sign is when the liveliness of concern in and out of class centers around the critical issues of the time rather than on the effete busy work that is required for credits and degrees but is useless otherwise."

Literature of Revolution

Dr. Proctor added that "a serious approach to the literature of the angry revolutionaries, or a study of the aged poo, the rural dropout, the Spanish-speaking minorities, and the solo parent, live and breathing, may constitute a far more rewarding semester than much of what passes for college."

Hugh W. Lane, president of the National Scholarship Service and Fund for Negro Students, reminded the conference that "less than 1 per cent of those enrolled in undergraduate, post-secondary institutions in the fall of 1967 were black."

He called this a major source of fuel for the moral unrest that manifests itself as campus activism. "This clear sense of illegality, which is also immorality, cannot possibly be explained away to students — Neither to black students nor white — nor to the various minority segments of the American population."

Robert D. Clark, president of San Jose State College, suggested that disturbances at his own institution had helped matters considerably. The gains included, he said, appointment of an ombudsmen on racial questions; greater student participation in running the college; new courses concerning black and Mexican Americans; additional staff members from minority groups, and an enlarged program for technically inadmissable but promising minority students.

Dr. Clark claimed no particular credit for presiding over these achievements, noting wryly that effective leadership means leading where the people are going anyway.

Robert Bogulaw, sociology professor at the University of Washington, held that students' alienation was based on their contemplation of the future. "Even for those who successfully elude the clutches of the draft board or the recruiting sergeant," he said, "the prospect of a future devoted to tinsel, tedium, and trivia has become terrifying."

The American Council on Education is an association of 1,526 educational associations and institutions of higher learning.

REPLACING WELFARE
(continued)

standing the arrangements and satisfying the reporting requirements. To overcome such difficulties, CGF has set up an office in the Trenton ghetto to keep close contact with the needy families.

One recent day, office manager William Leggett, a former fight promoter, drove 21 miles about town visiting families to try to speed up filing of income statements needed to compute their payments. One woman objected to disclosing the amount of her welfare disability payment; she had been told such income was not included in the income used in determining her weekly CGF grant. "They are paying you money, and they've got a right to ask you anything they want and you've got to answer," Mr. Leggett bluntly told her.

The major responsibility for conducting the test here rests with an OEO off-shoot, the Institute for Research on Poverty at the University of Wisconsin. The institute, in turn, has contracted with Mathematica, a group of Princeton professors, to handle much of the actual administration, and the two organizations have formed CGF to deal with the participants and their problems.

The first payments to 160 Trenton families began last month; all 800 families taking part will be enrolled by January. Other participants will probably be selected in two of these New Jersey cities: Newark, Elizabeth, Jersey City, Camden and Paterson. But CGF may also go out of state. The project's total cost is estimated at $4 million.

In Trenton, the families were chosen at random from low-income groups without advance knowledge of the purposes of the project. Interviewers merely said they were conducting a "family management" survey. Only when the families received their first checks did they learn the identity and objectives of CGF.

Picking the Families

One practical worry, of course, is that participants may conceal their incomes so as to qualify for higher grants. "If we let people cheat and get away with it, the program is wrecked and . . . it militates against ever adopting the guaranteed income nationally," warns Albert Rees, a Princeton economics professor helping to conduct the study. To deter dishonety, the families must submit payroll stubs along with monthly earnings statements, and false statements will be grounds for loss of CGF grants.

The identities of most families enrolled in the trial will not be revealed. But to satisfy the curiosity of the press and television, the OEO will pick six families (three white and three Negro) for intarviewing after the first of the year.

On the basis of 1960 census results, the planners anticipated that eligible low-income families would prove plentiful in New Jersey. But economic conditions, at least in Trenton, have sharply improved, and 2,500 families had to be screened just to select 160 participants. An additional 30,000 families will be interviewed to complete the sample.

So far, most of the families selected have been Negro or Puerto Rican; if the trend continues, CGF may need to seek out more poor whites to be sure its sample is representative of all the nation's needy. Besides the 800 families receiving payments, 400 other poor families will serve as a control group, or basis for comparison; though not getting the grants, they will answer the same set of questions.

Through a series of lengthy interviews every three months, CGF will seek to find out what changes the income payments have produced: Do the unemployed find jobs? Do recipients get job promotions, enroll in training programs, move to communities where jobs are more plentiful? Does the extra income prompt any family members to quit the labor force? If so, who is most likely to quit—working wives, teen-age children or able-bodied males?

Personal expenditures will be examined. "To oversimplify, we will want to know whether the added income is spent on bread or booze," says Harold Watts, director of the Institute for Research on Poverty. Participating families sometimes will be asked to keep a weekly diary of food and other routine expenditures. In addition, their buying of such big items as refrigerators, freezers and television sets will be compared with the purchasing patterns of the other poor.

Beyond economic effects, the experiments will be watching for less measurable social adjustments: Do parents become more involved in their children's lives? Do pupils' school performances improve? Do families participate more in community affairs? Are there changes in the poor's political outlook?

Differing Payments

Seven separate negative tax schemes differing in amount of payment are being tested in Trenton. Each arrangement guarantees a different maximum grant (based on income and family size), ranging from $1,000 to $4,600 a year. Under the most generous plan, a family can continue to receive a small CGF payment even with earnings of over $10,000 a year. But most OEO negative tax arrangements are much less liberal.

Even if the New Jersey trial proves a failure, it's likely to spur other efforts to fashion acceptable alternatives to public assistance programs. "It's an experiment in running an experiment," says one welfare expert.

One guaranteed-income proposal, known as children's allowances, would furnish a fixed payment to all families, rich or poor, based on the number of children; the sum most frequently suggested is $10 per month per child. A children's allowance may be tested in coming months in Gary, Ind., through the Model Cities program.

NEW YORK TIMES OCT 13 1968

CITY DELAYS PACTS TO AID MINORITIES

Action Awaited on Unions' Vow to Upgrade Negroes

By SETH S. KING

The city is withholding approval of two more contracts pending fulfillment of promises by two local unions to put more Negroes and Puerto Ricans in higher skilled ratings.

James D. Norton, director of the city's new contract compliance division, said yesterday that Local 1536 of the United Brotherhood of Carpenters and Joiners had agreed to upgrade approximately 50 minority group members to ratings of drillers' helpers.

Local 66 of the Pointers, Cleaners, and Caulkers Union has agreed, Mr. Norton said, to consider a referral plan whereby Negro and Puerto Rican workers could be moved into scaffolding work on waterproofing contracts in city construction projects.

In a related move, Theodore W. Kheel, the labor mediator, disclosed that the Sheet Metal Workers International Association had agreed to add 100 journeymen, to be chosen after tests next month, on "a nondiscriminatory" basis.

Housing Unit Delays Pact

The Housing Authority has been holding up a sheet metal contract because the construction firms could not guarantee that Negroes and Puerto Ricans would be hired.

Mr. Kheel, who is arbitrating this matter, said in an interview from Mexico City, where he is attending the Olympic Games, that the union had more than 200 applicants for journeyman ratings.

He said the union had agreed to hold a written test on Nov. 2 and a practical test on Nov. 16. Last year the union refused to accept 24 Negroes into its apprenticeship program after they had passed tests with scores that the union argued were "phenomenally high and statistically improbable."

The holding up of these city contracts was the first restrictive move made through the contract compliance division to implement an executive order by Mayor Lindsay that became effective last May.

This requires all contractors working on city building projects and all those selling goods prove that minority workers are being hired whenever possible.

Mr. Norton said contracts totaling $98,000 would be held in abeyance until he was convinced that the carpenters and the waterproofers unions had carried out their agreement.

The executive order requires each contractor and vender to include a compliance report in the agreement it signs on projects and purchase orders.

Mr. Norton said his office was demanding a manning chart from each contractor on a city project showing how many members of minority groups were actually to be employed.

Mr. Norton said the city had also obtained he cooperation of the Constructing Plumbers Association of Brooklyn and Queens, a group of plumbing contractors who bid on city projects. The association is screening all minority group workers referred to it by civic associations.

Lou Novak, president of the association, said that 20 Negro and Puerto Rican workers had been interviewed by a special committee to determine their experience on plumbing construction jobs.

Nine of these applicants were considered qualified and have been hired on city-financed projects, Mr. Novak said. They are paid union rates and may be offered a chance to qualify for a union card after they have been on the job for seven days.

There have been frequent complaints from civil rights organizations that many of the building trades unions have deliberately excluded or refused to train Negroes and Puerto Ricans.

"It's true now that the contractors are being caught in the middle," Mr. Norton said. "The city is demanding that they have minority workers and the unions are often claiming they cannot supply them.

"The contractors can hire any qualified worker they want, but in theory they would have to be offer the chance to join the union within a week. The trouble is that too often they get a work permit for the job, but they are never taken into the union."

Guaranteed Income

WALL STREET JOURNAL
OCT 14 1968

Citizens Group Urges Welfare Assistance Be Federally Directed

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Disparity of State Payments Seen as Inducing Migration To North From Rural South

By a WALL STREET JOURNAL *Staff Reporter*

NEW YORK—A family of four on welfare in Mississippi receives an average monthly payment of $35, whereas a similar family in new York gets $241.15 a month, a new report on the national welfare problem says.

Such disparity between welfare payments in different states is "an important consideration" in the migration of the unskilled poor to Northern cities from the rural South, according to the Citizens Budget Commission Inc., a New York businessman's group.

It was one of several conclusions in a commission report calling for national standardization of welfare assistance under the direction of the Federal government.

The report notes that the Mississippi family of four could travel from Jackson, Miss., to New York City by bus for $172—"substantially less" than the difference between Mississippi's payments for one month and New York's payments, which are the highest in the nation.

The commission also concluded that the disparities in levels of welfare assistance among various states is shifting an increasing proportion of the welfare burden to the high-paying states. The 10 states with the lowest levels of welfare payments decreased their share of the National Aid to Dependent Children Program to 19.2% last year from 30.3% in 1959, the report said. Conversely, the 10 states with the highest assistance levels increased their share of the national welfare payments to 30.1% last year from 21.2% in 1959.

For example, the report said, New Jersey, which pays $228.65 a month to a family of four, the second highest level in the nation, has experienced a 288% increase in its aid-to-dependent-children burden in the past 10 years. New York's burden in the period has climbed 197%. These two states showed the highest percentage increases in their welfare load.

South Carolina, on the other hand, which ranks 48th in its payments with a $67.55 monthly outlay for a family of four, enjoyed a 31% decrease for the same 10-year period in its burden of payments under Aid to Dependent Children.

"Because of these disparities and significant differences in the administration of welfare among the states, there is a critical need for Federalization of welfare standards," the commission's report concluded.

It recommended Congress legislate the amount of welfare payments that each state must make "with due allowance for differences in living costs."

If a state failed to pay welfare assistance at the Federally specified level, or failed "to administer the program without discrimination," then the Government would take over the administration of welfare within that state, according to the commission recommendation.

"Ways would have to be found," the commission said, to make a noncooperating state bear its share of national welfare costs.

PAGINATION INCORRECT

Sunday, Oct. 13, 1968 THE WASHINGTON POST

The Federal Diary

Labor-Policy Study Reopens

By Jerry Kluttz

The President's advisory committee is reconsidering its recommendations for reforms in the Government's labor-management program, which gives recognition to the many unions that represent Federal employes.

Secretary of Labor W. Willard Wirtz is chairman of the six-man task force that made tentative recommendations to Mr. Johnson several months ago. But the study was reopened, an official has revealed, because of several new developments. He hinted they were.

- Actions by four employe unions in dropping from their constitutions the pledge not to strike against the Government.
- The promise by Democratic presidential nominee Hubert H. Humphrey to seek enactment of a modern labor-management program, and the pledge by **Richard M. Nixon,** the Republican nominee, to work closely with employe unions on programs that affect the 3 mililon Federal civilian employes.
- The congressional drive to enact guarantee that Federal employes have the right to join or not to join a union. The President's labor-management order carries such a guarantee. The effort was made to discourage the President from imposing a possible union shop in any form in the Federal service.
- A shift in thinking by some Federal officials on how best to accomplish a major overhaul of the program, from an order by the President to legislation by Congress. The Defense Department was among the agencies that questioned whether it wouldn't be better in the long run to allow Congress to make major changes in the program.

The point was raised whether employes and their unions would be satisfied for long with any revisions made by presidential directive.

AFL-CIO's Postal Clerks Union is the leader of the campaign to have Congress write into law a labor-management program, and it has the backing of most other employe unions affiliated with the AFL-CIO. But some of the independent unions oppose the legislation as written. In fact, some employe leaders would welcome a revised order by President Johnson before he leaves office.

If the political seers are correct and the next Congress is as conservative as they predict, it could be several years before Congress approves a labor-management program and it could turn out to be a disappointment to employe leaders.

Youth: The President has ordered agencies that don't already have them to set up youth career boards where young employes can have a voice in programs and policies of their agencies. Mr. Johnson has been favorably impressed with a youth-involvement program at the Labor Department and several other agencies.

His directive reminded agency officials that personnel and training practices must be kept current to meet the demands of the space age.

"It is time to re-examine our assumptions; it is time for a fresher and closer look at our systems for recruiting, selecting, placing, training, and above all, utilizing career trainees," he said.

Agencies have been told to find out how ideas from employes reach the top; the extent of training for career workers; whether young employes serve as links between the Government and young people on the campuses and how more minority-group employes can be moved into training and programs that can lead to Government careers.

Arizona Republic
Phoenix, Arizona
October 6, 1968

Thousands seek work, although some jobs open

By ALBERT J. SITTER

The Arizona State Employment Service has a long list of job openings which have gone begging more than a month for lack of willing or able takers.

But, by the latest count, even if all of the 1,266 hard-core vacancies were filled today the state still would be left with 18,234 unemployed job hunters.

This fact conflicts sharply with the widely held belief that anyone can earn a living as long as he makes himself available for work. For in addition to its list of hard-to-fill jobs, the employment service has a much larger list of 20,500 persons actively seeking work.

Arizona's unemployment rate is 3.4 per cent of the work force, slightly less than the national average.

However, the complete unemployment picture is difficult to measure, said Charles A. Boyle, ASES administrator.

"OUR FIGURES," explained Boyle, "reflect those who are actively seeking work. There is no accurate method of quantifying those who have given up looking for work. And yet these persons are perhaps the most desperate."

Nearly half of the known unemployed in the state live in Maricopa County. However, only 403, or less than one-third of the jobs open for more than 30 days, were reported by employers in the county.

Of the nearly 10,000 jobless who are looking for work in Maricopa County about 20 per cent are Negro, although Negroes comprise only 3.8 per cent of the county's population.

The apparent paradox of having jobs available at the same time thousands of persons say they are looking for work is easily explained by one or more reasons.

THE PRIMARY reason is the lack of qualified applicants. Many other jobs pay wages considered to be too low by potential workers. With others, it's reportedly poor or substandard working conditions.

Lack of required qualifications have kept many able-bodied workers off the employment list. This category ranges from the highly skilled jobs in engineering, paying $600 to $800 monthly, to openings for waitresses, paying as little as 70 cents an hour.

For the most part, employers require applicants to be experienced in the type of work they offer, even though the job may pay less than wages considered to be below poverty level.

Because of the tightening of the labor market, some employers have lowered their standards to more realistic levels. Some, for instance, no longer demand that applicants for low-skill jobs have a high school diploma.

THE EMPLOYMENT service reveals that the greatest number of job orders remaining open in excess of 30 days are in the service occupations. Significant shortages exist for hostesses, waitresses, short order cooks, nurse aides, child care workers and attendants at lodging facilities.

Although the service sector reported the largest proportion of job vacancies due to inadequate pay, many of them also stemmed from lack of applicants who are trained.

Guaranteed Income

OCT 15 1968

CHRISTIAN SCIENCE MONITOR

A 'guaranteed income' vs. welfare

By Rep. William F. Ryan
Democrat of New York

Written for The Christian Science Monitor

THE GUARANTEED-INCOME IDEA HAS been around in one form or another since the early 1960's. Its more utopian proponents, like Robert Theobald, believe that our society is so affluent that no one should feel compelled to work merely for the ignoble purpose of earning a living; that lives will be richer if society guarantees the necessities of life and people do what they enjoy doing.

On the other hand, conservative economists believe that direct cash transfers are preferable to the multiplicity of subsidy programs now in effect. If cash is plentiful, the theory goes, the government will not have to tamper with the price levels of the private sector in areas such as housing, education, and transportation, and the poor will have the cash to spend on necessities, along with a greater freedom to decide how to spend it.

I do not share either view. The work ethic is too deeply ingrained in the American people for them to accept a plan which discourages earning a living. As for the second approach, many subsidy programs benefit middle-income as well as low-income people or are designed to meet needs beyond simple income redistribution.

Different approach

I was prompted to introduce the first guaranteed-income bill by the belief that present welfare programs are not effectively helping the poor, and that a different approach to income maintenance must be developed.

The term "guaranteed income" conjures up an entirely misleading picture of a program to subsidize idleness. The objective of a sound income-maintenance plan is precisely the opposite. It is to provide the very poor with a subsistence level of income in a form consistent with dignity while encouraging them to work. Welfare as it operates today does not do that.

Although the federal government finances about 50 percent of the overall costs, the welfare system is in reality a patchwork of state and local programs, with widely differing standards of eligibility and benefits. The maze of regulations and standards screens out approximately 3 out of every 4 persons whom the federal government defines as below the poverty line.

The wide disparity in benefit leve's promotes migration to the cities by rural persons least equipped to earn a living in an urban environment. It is not that the higher welfare payments attract migrants. In most cases, the rural poor migrate to the cities because their present states offer them neither jobs nor adequate welfare benefits, and they believe that opportunities will be greater in the cities.

Whatever their motivation, many end up on the welfare rolls.

The chaotic growth of welfare programs over the past 35 years has produced a tangle of red tape and a variety of controls over how benefits may be spent which leave the recipient resentful and consume too much of the social worker's time with paperwork and policing.

Conservative critics of welfare are not entirely wrong when they attack welfare for its top-heavy bureaucracy, its debilitating effect on human dignity, and its tendency to create a caste of welfare recipients.

But their prescription is faulty. We have a society with millions of poor who cannot work, because they are aged, because they are disabled, because they are young, or because they are mothers with dependent children. We still need to provide for these people.

There also are millions more who can and would work, but our economy has failed to provide jobs and job training. We also must provide for them through expanded employment opportunity and effective income maintenance.

How, then, to design an income-maintenance system which provides enough income for the necessities of life, but which is not so generous that it discourages work? How to keep it as simple as possible, but prevent fraud and abuse? How to keep its cost within limits which the Congress will at least consider?

Summary of program

Here is an outline of how it might be done.

The first factor would be a basic benefit, keyed to the size of the recipient family. The basic benefit would be paid in cases where the family income is zero, but the benefit would not be reduced by a full dollar for every dollar of earnings. If the benefit were $200 per month, and family income increased by $100, the benefit would not be reduced by the full $100, but by some lesser amount so that there would be an incentive to work. My bill specifies a 50 percent reduction.

Today, in most states, if a welfare family receives $200 monthly and the mother earns $100 scrubbing floors, the local welfare agency promptly reduces the benefit by $100, leaving the family no better off, and providing no economic incentive for working.

The second factor would be a simplified filing and enforcement system. Under my bill families would file simple monthly declarations of income; they would receive monthly checks, similar to social-security checks.

Enforcement would be based on spot checks, similar to Internal Revenue Service enforcement. If the income statement of 1 recipient in 20 is subject to complete audits, the law of averages is likely to keep the other 19 honest.

As a result, thousands of trained social workers would be freed from police work that destroys the trust of their clients and would be able to devote their time to needed and wanted services.

Benefit level suggested

The level of benefit would be $50 per month for the head of the family, and the spouse, plus $39 for each dependent up to a total of seven. This works out to approxi-

(cont'd on p. 5)

CHICAGO TRIBUNE
OCT 15 1968

HOTPOINT FIRM CLOSES PLANT AFTER SIT-IN

BY JAMES STRONG

Hotpoint closed its refrigerator plant in Cicero yesterday after 20 Negroes on the assembly line started a sit-down strike.

Fred A. Kaimer, manager of relations operations, said the decision was made to avert an outbreak of violence against the dissident group by 800 workers idled by the illegal sit-in.

The group, which calls itself the Afro-American Employes committee, was led by Willie J. Plunkett, 27, of 8233 Ridgeland av., an assembler. Plunkett said the action was taken to protest the firing of a Negro employe involved in a fight with a Puerto Rican who was not fired.

Refused to Leave

All 20 were suspended by Hotpoint after they were requested to leave the plant and they refused. When they refused to leave, the order was given to close the plant, at 1538-40 S. 54th av.

Unrest at the Cicero plant has been recurring since last June when Plunkett ran third in a three-man race for president of local 571, Sheet Metal Workers union. Delane Mitchell received 338 votes, James R. Crouch 207, and Plunkett 137.

Plunkett has since charged that the union and management have conspired to maintain "rascist patterns" and to deny Negroes equal treatment in seniority, rules, working conditions, and grievances.

Denies Charges

Mitchell denied the charges and explained that the unions' vice president, Roger Erskines, as well as 60 per cent of the union stewards are Negro. Mitchell said one of the five plant stewards is a Negro.

Mitchell said the union has began an investigation of the sit-in and raised the possibility of union charges being filed against the dissidents.

The company blamed outside influences for promoting the unrest at Hotpoint. Kaimer said Plunkett's professed reasons for the sit-in were false and that no one was fired in the incident cited by Plunkett. He said one man was suspended for two days and the other is under suspension pending the results of an investigation.

PAGINATION INCORRECT

17 States Find Laws No Cures for Strikes

BY JAN HARTNETT
Associated Press Writer

Some of the 17 states with laws banning strikes by public employes have learned the hard way that such measures — even those with tough penalties —are not a guarantee against walkouts.

Thousands of teachers, sanitation workers and others on city, county and state payrolls have struck in defiance of the state laws. In some cases they have suffered minor, if any, consequences despite stiff penalty provisions.

Not all of the 17 state measures provide penalties.

Antistrike laws covering public employes are in effect in Massachusetts, Delaware, Illinois, New York, Connecticut, Pennsylvania, North Carolina, Florida, Virginia, Ohio, Michigan, Wisconsin, Nebraska, South Dakota, Texas, Hawaii and Oregon.

Court Bars Strikes

In Illinois, there are no statutory provisions specifically banning strikes by public employes. But the Illionis Supreme Court has ruled that strikes by public service workers—including teachers—are unlawful.

A 1947 Pennsylvania law bars strikes by public employes under penalty of dismissal. The law provides that if a striker subsequently is rehired, he shall not be hired back at a salary higher than he received when he struck; receive no salary increase for three years; shall lose his tenure and be on probation for five years.

North Carolina law bars municipal, county and state employes from belonging to trade or labor unions with national affiliation.

Florida has an antistrike law for public employes, but its constitutionality is being questioned by a suit pending in the Florida Supreme Court.

Virginia law prohibits any agency of the state or local political subdivisions from negotiating with unions. Under the 1946 law, any state, city or county employe who goes on strike or otherwise fails to report for work shall be fired.

Iowa has a so-called right-to-work law, but it has no legislation prohibiting strikes either by public employes or industrial employes. It does have a law prohibiting collective bargaining between state agencies and their employes.

Ohio has had a law for years forbidding strikes by public employes, but teachers and other public employes have struck, threatened to strike and stayed off their jobs for "study sessions" without suffering serious consequences.

The Massachusetts Legislature in 1958 passed a law that specifically exempted police from its provisions, allowing public employes to organize. Two years later, the law was amended to allow city and town employes to bargain collectively. In 1964, the legislature again amended the law, this time insuring that state employes could bargain collectively and at the same time prohibiting strikes.

Two years ago, Delaware adopted a law that permitted public employes to organize and conduct collective bargaining, but which prohibited them from striking.

New York has perhaps the most controversial antistrike legislation, the Condon-Wadlin law which forbids strikes by public employes. It provides penalties for strikers including automatic dismissal, loss of promotion rights and pay raises for those eventually rehired. But over the years, the law was regarded as so harsh that the state ignored it, as did employes.

Strikers Ignore Laws

Gov. Nelson A. Rockefeller and the New York Legislature fostered a study that produced the Taylor law, enacted last year. It forbids strikes, but does not mandate dismissal of violators. The law switches penalty emphasis from rank-and-file employes to their unions and union leaders.

Michigan's Hutchinson Act prohibits strikes by public employes, but it does not spell out penalties.

Wisconsin has had an antistrike law for county and municipal employes since 1962, and a similar law for state employes since January, 1967. Neither law provides for penalties. There have been 10 strikes by county or municipal employes in Wisconsin since February 1962.

Nebraska has a strong law making it unlawful to hinder, delay, limit or suspend the continuity or efficiency of any government service, or service of any public utility by lockout, strike slowdown or other work stoppage. The Nebraska Court of Industrial Relations has broad powers to prevent such strikes.

South Dakota has limited statutes to prevent public employes from striking, but lawyers say the laws must be tested in court.

Texas has a law prohibiting strikes or collective bargaining by employes of any subdivision of state, county or city government. The law includes teachers.

Public employes have the right to bargain collectively in Oregon. Strikes are illegal, but there is no penalty for violation of the law.

LABOR DEPARTMENT
(continued)

The announcement canceled the offer and gave MOER additional time to learn the specific nature of the charges against it.

Board members of the antipoverty agency met last night and appointed a committee, to be headed by Alderman Robert MacGregor, to meet with Labor Department officials to discuss the accusations.

Severe Blow

Loss of New Careers would be a severe blow to the antipoverty agency's prestige among the poor.

The program's budget provides approximately $10,000 a year for training and employing each enrollee, and Pillow estimates that the total $2.1-million grant accounts for about 20 per cent of the funds administered by MOER.

As to MOER's chances of retaining the program, the Labor Department, which still has a firm grip on the meat cleaver, continues to remain mum.

COAL STRIKE
(continued)

cil has said that increases exceeding 6 per cent a year threatened economic stabilization.

Present Wages Described

The basic wage of underground soft coal miners has been $27.25 a day. Three top classifications of underground workers—electricians, mechanics, and continuous mining machine operators—have been receiving $30 a day.

Miners in Alabama and eastern Kentucky have worked on a wage scale of about $2 a day less. The new contract will gradually wipe out that differential. The miners in those districts will thus eventually get increases of about $5 a day.

An innovation in the new contract is a Christmas bonus of $120, beginning in 1969. To curb unauthorized strikes, however, the operators insisted on, and won, a reservation that this bonus and pay for eight holidays would not be granted to miners who were absent on such strikes the day before or the day after the dates for which these extra payments are made. Absences because of illness or other bona fide reasons will not be penalized.

In addition to the 14 days' vacation now granted to employes with one year's service, a graduated vacation schedule will provide an additional day of paid vacation for each year of service after 10 years, with a maximum vacation of four weeks for employes with more than 19 years of service.

An employe earning $30 a day who qualifies for the maximum vacation would receive a $600 vacation payment in 1969, and a total vacation payment of approximately $2,000 during the three years of the contract.

Seniority clause improvements will permit a senior miner to change to a better paying shift, or a more desirable shift, with the same employer within the same union district.

Men reporting for work at the mine opening, unless instructed not to report, will be paid for four hours' work if their services on the reporting day are not used.

The new contract makes no changes in the health and safety code or in the "royalty" payment of 40 cents a ton, which supports the welfare and retirement fund.

More than 70,000 retired soft coal miners now receive $115 a month from the fund. They were raised from $100 to $115 in July 1967.

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815 SIXTEENTH STREET, N.W.
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PHONE: NATIONAL 8-3870

November 13, 1968

Mr. Emory Via, Director
Labor Program
Southern Regional Council, Inc.
5 Forsyth St., N.W.
Atlanta, Georgia 30303

Dear Emory:

I am enclosing the material which will be included in the manual.

I hope you can do your session Monday afternoon or Tuesday morning.

I am also enclosing the material on the Advanced Southern Labor School.

Sincerely yours,

George

George T. Guernsey, Asst. Director
Department of Education

Thanks

Enclosure

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GTG/mjq

LBJ Could Try To Name Chief Justice

By CHARLOTTE G. MOULTON
UPI Writer

WASHINGTON — In the two months President Johnson has left in office, he still could try again to select Chief Justice Earl Warren's successor.

There's some talk that he might do just that, despite the defeat he suffered when the Senate failed to confirm his selection of Associate Justice Abe Fortas to replace Warren.

MR JOHNSON obviously would like to have another liberal as chief justice while President-elect Richard M. Nixon would pick a more conservative voice.

If Mr Johnson does try to pick Warren's successor before Nixon is inaugurated, there are two ways he could go about it:

● The use of a recess appointment, to be made before Congress convenes Jan 3. This appears the less likely way. It would be a temporary appointment pending action by the Senate.

● Considered more possible — at least by insiders at the Supreme Court — would be a nomination of a chief justice by Mr Johnson between Jan 3 when Congress reconvenes and Nixon's Jan 20 inauguration.

TO GET the Senate to approve such a late-date selection, Mr Johnson might pick someone of such stature that the lawmakers could hardly refuse him. Or he might pick a member of the Senate, since senators usually find it hard to vote against one of their own.

Another approach might be for Mr Johnson, who has already shown a talent for getting along with his Republican successor, to get Nixon's approval in advance — tacit or otherwise.

Another possibility is for Mr Johnson to elevate Justice Potter Stewart, 53, an Ohio Republican whose constitutional philosophy is more conservative than Fortas', to the chief justiceship.

OTHER SPECULATION centers around persons of impeccable legal background, such as a well-known judge or law school figure. In this group are Professor Paul A. Freund of Harvard Law School, an outstanding authority on constitutional law; U. S. Solicitor Gen Erwin N. Griswold, a former dean of Harvard Law, and Judge Henry J. Friendly of the Second U. S. Circuit Court of Appeals in New York.

Nixon promised during his campaign to appoint to the court only "strict constructionists" of the Constitution. Friendly would seem to fill this bill, since he recently called for a 350-word amendment to the Constitution to overcome some of the recent decisions on self-incrimination.

A PROMINENT Washington attorney mentioned for the nomination is Charles S. Rhyne, 58, the moving force behind the World Peace Through Law organization and originator of the annual Law Day U. S. A. celebration on May 1. Rhyne is a Republican.

Although the chief justice has given every indication that he wants to retire as soon as possible, legal opinion appears unanimous that he could withdraw his June 13 retirement letter to Mr Johnson if he chooses.

If nothing happens, there is disagreement as to whether the Supreme Court matter will be pending business for the income President.

SENATE Republican leader Everett M. Dirksen of Illinois, has said the Warren retirement carries over to the new administration. Under this theory, Nixon may act.

But Senate majority leader Mike Mansfield of Montana has said the letter is binding on the Johnson administration only. According to this thought, a separate retirement announcement would have to go to Nixon.

Nixon is said to have taken the Dirksen view.

On the other hand, the President could simply wipe out the effect of Warren's June 13 letter by getting a written commitment from Warren to stay on. The chief justice is sitting now because the President requested him to do so "until emotionalism subsides, reason and fairness prevail."

Warren and Nixon are longtime political protagonists.

SALES DIRECTOR — Jimmie D. Fore is the new sales director for the Greater Houston Convention and Visitors Council and assumes this position Monday morning. He spent a year as assistant director of the Civic Center. Fore, a native Texan, is a graduate of the University of Houston.

Stove Source of Blaze

2 Children Killed In Apartment Fire

Sheila Parnell, 3, and her 18-months-old brother, Joe Parnell Jr, died of suffocation in a bedroom at their apartment home early Sunday night when a fire damaged the kitchen next to the bedroom.

The two children were found by firemen, who were called to the fire at the Algiers Hotel and Apartments, 2412 Blodgett. The victims were in the same bed. They were declared dead at Ben Taub General Hospital.

Their father, Joe Parnell Sr, 41, told arson investigator C. R. Kent that he left the apartment about 3:30 PM, leaving the door to the apartment unlocked.

He said he believed his wife returned to the apartment because two pots of food were found on the stove, the source of the blaze. Parnell said he did not leave the burners on.

The investigators had not located Mrs Alma Parnell, the mother, early Monday morning. The fire was reported about 9 PM and was extinguished 30 minutes later.

Panel Will Hear Lucey Dissension

SAN ANTONIO — (UPI) — An 18-man fact finding commission begins a series of private hearings Monday in an attempt to ferret out the problems confronting the Roman Catholic Archdiocese of San Antonio.

The hearings are expected to last two or three weeks. Already 20 persons have asked to air their views before the board of 12 priests and six laymen.

MEANWHILE, officials of a [illegible]cal lay group have launched [illegible] drive to get as many lay[illegible] as possible to testify to [illegible]mmission.

[illegible]board was formed to [illegible] the controversy that [illegible]ly boiled around [illegible] Robert E. Lucey, [illegible]y 30 days.

[illegible], 51 priests an[illegible] had asked the [illegible]chbishop Lu[illegible] from the [illegible]e than 27 [illegible] response [illegible] other [illegible]ts'

London's Astir With Early Start on Christmas Season

LONDON — (UPI) — Londoners are already counting the shopping days until Christmas.

The Yule season starts early in Britain. Gilt reindeer already peer down from one department store on the Strand. More than 8,000 light bulbs glitter around another on crowded Oxford Street. Decorations have blossomed on Kensington High Street.

ONE FOOD store chain has [illegible] advertising Christmas [illegible] — and taking reserva[illegible] a month.

[illegible]ave announced [illegible] programs: [illegible] and chil[illegible]Peter Pan, [illegible] young[illegible]f the [illegible]

There are special Christmas matinees on the calendar for all of London's hits, ranging from nostalgic musicals to way-out fare.

IN THIS land of Dickens, Christmas traditions live on. But there's a modern touch.

One store offers a "packaged" stocking full of gifts — with a choice of stockings to suit little boys or little girls, bigger boys or bigger girls, and mom and dad.

At another store the express elevator to Toyland is fitted out like the inside of a rocket ship, with shiny walls, "portholes" looking out on "stars," and a countdown over a loud speaker. The elevator opens into a Toyland built around a Santa's village [illegible]

2 of 9 Escaped Felons In Utah Still At Large

POINT OF THE MOUNTAIN, Utah — (UPI) — Two of the nine prisoners who fled from the Utah State Prison's maximum security unit Friday night remained at large Sunday.

Meanwhile, three of the men, including two sentenced to death, were returned to the prison from Burley, Idaho, where they were apprehended Saturday.

STILL AT large are Michael Patrick Jones, 22, Berkeley, Calif, serving life for slaying an Ogden, Utah policeman, and Frank Lopez, 26, Rock Springs, Wyo, serving a five-year-to-life term for assault with intent to commit murder.

Warden John Turner and other prison authorities de[illegible]

BURLEY POLICE also apprehended Delbert Garrett, 32, burglar. Garrett, Lance and Kelbach told Burley officer Pete Rodriquez the trio stole a car in Riverton, Utah, drove it 50 miles to Ogden where they stole the four-wheel drive vehicle recovered in Burley.

The nine men were not missed until just before noon Saturday when they failed to show up for lunch. Turner said reports show all nine men were seen by guards at the nine o'clock check Friday night, and some were seen at 11 PM.

Cleveland Man Beaten to Death

Raymond Grant, 31, of Cleveland, was found severely beaten early Sunday behind a

BEST COPY AVAILABLE

Vance Still Expects Saigon Will Join Talks

PARIS — (AP) — Diplomats from four points argued in public statements Sunday while awaiting a Saigon decision about attending the proposed expanded peace conference on Vietnam.

Ambassador Cyrus Vance, deputy chief of the U.S. delegation under W. Averell Harriman, said he expects Saigon will join the parley "and take a leading part in the forthcoming negotiations leading toward peace in South Vietnam."

THE WOMAN chief of the Viet Cong's National Liberation Front delegation here, Mrs Nguyen Thi Binh, blamed the Americans for the South Vietnamese government's reluctance to attend.

"The U.S. government must assume the entire responsibility for the obstinate attitude of its Saigon lackeys," she said.

South Vietnam's ambassador-observer, Pham Dang Lam, declared: "We cannot take part in four-party negotiations at which the NLF has independent status." He said President Nguyen Van Thieus regime is the legal government and the NLF is only a rebel movement.

"WE CONSIDER the NLF as the authentic representative of the population of South Vietnam," countered Col Hau Van Lau, Vance's opposite number of the Hanoi delegation.

The exchanges were carried in the French magazine L'Express and in separate statements while U.S. diplomats worked behind the scenes to persuade Thieu to accept an ambiguous formula aimed at bypassing the status issue.

President Johnson originally set Nov 6 as the opening date under his bomb halt package for a new round of discussions, with the Saigon government and the NLF joining in. But Thieu balked, forcing the Americans to ask for a postponement.

DESPITE THE cross fire of statements, none of the three delegations here was packing bags to go home. U.S. sources displayed mounting expectation that Saigon would send a mission, but avoided predicting when it would arrive.

RELAXING AND WAITING

Luci Johnson Nugent, daughter of President Johnson, wears a plumeria lei and crown while enjoying the show at the Polynesian Cultural Center near Honolulu. Luci and her son Lyn are in Hawaii awaiting the arrival Wednesday of Airman First Class Patrick Nugent, her husband, on a rest and recuperation leave from South Vietnam.—AP Wirephoto

Chimp Smokes Away To Aid in Drug Project

ATLANTA, Ga — (UPI) — Vickie doesn't worry about which cigarette travels the smoke further — or which is a bit longer or slimmer.

Brands don't matter to her either. She just keeps puffing and may some day become the world's champ chimp chain-smoker.

VICKIE IS one of several chimpanzees at Emory University's Yerkes Regional Primate Research Center learning to smoke in a new project to test the effects of drugs.

The project is financed by a one-year contract from the U.S. Department of Justice's Bureau of Narcotics and Dangerous Drugs.

"This project and others like it are attempts to develop methods for determining in advance the drug-abuse potential of any new compound, says Dr Walter A. Pieper, assistant psychobiologist at Yerkes and project director.

"Our goal is to be able to predict which new drugs are likely to be abused by humans, before these compounds are released for use by the general public."

A SMOKING machine just outside the chimp's cage eliminated the animal's need for matches or cigarette lighters.

The machine holds 36 cigarettes in a turntable. It is preset to allow enough time for the chimp to smoke one cigarette before positioning another.

After a stable smoking pattern is observed, Dr Piper will replace the tobacco with drugs, such as cigarette-like tubes containing dextro-amphetamine, a drug often used abusively as a "pep pill."

If you've never owned an N-M charge card, isn't it time you did?

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Rusk Sick; Talks With Madrid Off

MADRID —(UPI) — Fever and laryngitis plagued Secretary of State Dean Rusk Sunday and forced a new postponement in his talks with Spanish officials.

Rusk arrived here from the NATO meeting in Brussels Saturday night, and had appointments with Foreign Minister Fernando Maria Castiella and chief of state Francisco Franco.

OFFICIAL FOGGERY surrounded Rusk's visit. No one in an official position would commit themselves to saying exactly why he had come, and on what basis.

Last week it was generally accepted that he was coming to discuss the question of U.S. bases in Spain. This country has given the United States until March to sign a new bases agreement — and the government is demanding what the United States government considers an exhorbitant price.

If an agreement is not signed, the United States will be given one year to pull out its men and equipment from its nuclear submarine base at Rota and two major air bases at Torrejon and Moron.

SUNDAY, HOWEVER, no U.S. or Spanish official would confirm that Rusk actually was here to discuss the bases. They said he had merely come to inform the Spanish government about decisions taken at last week's Brussels meeting of the North Atlantic Treaty Organizations' council of ministers.

Such informative visits are not unusual, although it is not always a man of Rusk's rank who makes them.

It did appear to many political observers that both sides were trying to play down the importance of Rusk's visit and avoid all references to the question of military bases.

The Spanish news agency Cifra, which reflects the Spanish government's position, said Rusk would talk both about the NATO meeting and the bases, but these discussions would not have the status of "negotiations." They would be considered only as "informative contacts."

Jackie's New Friend

Mrs Jacqueline Onassis makes friends Sunday with a horse at Turville Grange estate near Henley, England. She and her husband Aristotle Onassis are spending a holiday there with her sister, Lee Radziwill, and her sister's husband, Prince Stanislaus Radziwill. (Story on Page 20)—AP Wirephoto

Tax Refund to Poor In Broad SS Reform Plan

WASHINGTON — (AP) — A new Brookings Institution report calls for broad "reforms" of the social insurance system, including income tax refunds of Social Security taxes paid by the poor.

The study released on Sunday also recommended two changes which President-elect Nixon endorsed in his campaign. These are:

- Automatic enlargement of old age pensions to match rises in the cost of living.
- Increases in widow's benefits to 100 per cent of workers' benefits.

THE BROOKINGS Institution is a privately supported research organization that focuses on economics and government.

Its report urged structural changes in the system that would go far beyond any pro-

Some immediate flaws, it said, are these:

- The Social Security tax is particularly burdensome on the poor because it is a flat deduction from earnings making no allowance for ability to pay.
- Working husbands and wives are treated as separate taxable units. This can mean that they pay more into Social Security and receive less on retirement than a retired man whose wife did not work.
- Widows receive lower benefits than retired workers, although their husbands may have contributed as much or more and their needs may be as great.
- Single retired persons are treated far less generously than couples.
- The ceiling on benefits

NIXON, IN addition to endorsing cost-of-living escalation for pensions and increased widows' benefits, has also advocated eliminating eventually the ceiling on earnings that Social Security beneficiaries may receive without loss of benefits.

However, it is understood that Nixon favors slowing down the expansion of Social Security and Medicare benefits and the frequent stepups in payroll tax increases.

The Brookings economists call for no slowdown; they suggest that the Social Security tax should be levied on family incomes up to the national median level, and that benefit payments of 40 to 50 per cent of such earnings are "a reasonable goal." The present taxable base, $7,800,

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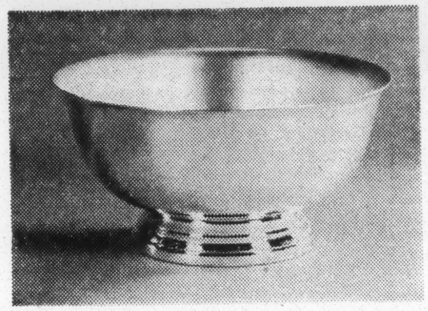
This week at Sakowitz you can commission your own Sons of Liberty Bowl



Watch it being spun by a Tuttle Silver Company silversmith in our Gift Shop Downtown, Tuesday through Saturday, November 19 to 23. Commemorating the 200th anniversary of Paul Revere's commission to make the original Sons of Liberty Bowl. Why not have a reproduction in a size from 4 to 11 inches commissioned in sterling for yourself? After the spinning, the bowl will be returned to the Tuttle Company for the engraving of the date, the silversmith's name, and the President's hallmark. And then mailed to you before Christmas. In time to give it as a gift that marks your heritage.

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Marijuana Hearing on Island Today

FROM POST GALVESTON BUREAU

GALVESTON — A hearing is scheduled for 9 AM Monday for Oren Cleveland Jr, 48, of 1115 Broadway, who was charged with possession of marijuana after a raid on his business, Shorty's Grill, at 2802 Ave F, late Saturday night.

Cleveland, out on $20,000 bond, will appear before Justice of the Peace James L. McKenna.

OFFICERS James Bierman and Paul De La Rosa Jr arrested Cleveland after De La Rosa found a pack of 23 marijuana cigarettes between a stove and a post at the bar.

Biermand had obtained search warrants from Justice McKenna for both the bar and Cleveland's home. Five other officers took part in the raid.

Police entered the grill at 11:48 PM Saturday and found the marijuana at 12:04 AM. Police also found four bottles of unidentified pills, four loaded pistols and two knives. No narcotics were found at Cleveland's house.

BIERMAN said he obtained the warrants after two women testified in another case Nov 12 that Cleveland gave them two marijuana cigarettes each about three weeks ago.

De La Rosa said the grill had been under surveilance for a month and during that time six youths were arrested at the location and charged with possession of marijuana.

The study released on Sunday also recommended two changes which President-elect Nixon endorsed in his campaign. These are:

- Automatic enlargement of old age pensions to match rises in the cost of living.
- Increases in widow's benefits to 100 per cent of workers' benefits.

THE BROOKINGS Institution is a privately supported research organization that focuses on economics and government.

Its report urged structural changes in the system that would go far beyond any proposals currently pending. However the study foresees ultimately two separate but co-ordinated systems:

- First, a revised Social Security program assuring benefits to the aged at a uniform percentage of past earnings;
- Second, a "negative income tax or family welfare allowances designed to assure income at a minimum subsistence standard for all Americans who remain below the poverty line.

THE BROOKINGS volume titled "Social Security: Perspectives for Reform" was written by: Joseph A. Pechman, director of economic studies of the privately-supported research organization; Henry J. Aaron of the Brookings staff, former senior economist of the President's Council of Economic Advisers, and Michael K. Taussig, former Brookings economist now teaching at Rutgers University.

The authors note that Social Security has been operated "with efficiency as well as integrity." But they conclude that the system needs modernization not only to correct specific defects in the present structure but, in the longer run, to enfold the program into a broader system for the elimination of poverty.

ing no allowance for ability to pay.

- Working husbands and wives are treated as separate taxable units. This can mean that they pay more into Social Security and receive less on retirement than a retired man whose wife did not work.
- Widows receive lower benefits than retired workers, although their husbands may have contributed as much or more and their needs may be as great.
- Single retired persons are treated far less generously than couples.
- The ceiling on benefits hurts large families eligible for survivors' payments.

ings that Social Security beneficiaries may receive without loss of benefits.

However, it is understood that Nixon favors slowing down the expansion of Social Security and Medicare benefits and the frequent stepups in payroll tax increases.

The Brookings economists call for no slowdown; they suggest that the Social Security tax should be levied on family incomes up to the national median level, and that benefit payments of 40 to 50 per cent of such earnings are "a reasonable goal." The present taxable base, $7,800, is close to the 1968 median income level.

Yemen Aid Is Asked For 3 Accused in Nixon Plot

NEW YORK — (UPI) — A newly formed "Arab Immigrant Defense Committee" called on the government of Yemen Sunday to come to the aid of three natives of the Arab country accused of plotting to kill President-elect Richard M. Nixon.

The committee charged in a letter to the consulate general of the Yemen Arab republic in Washington that Ahmed Rageh Namer, 43, and his sons, Hussein, 20 and Abdo Ahmed, 18, "are being denied protection of their fundamental human rights, and equal protection of the laws of the United States in their present imprisonment."

The Namers, arrested Nov 9 after another Yemeni Arab told police they had tried to hire him as triggerman in the assassination plot, were indicted by a Brooklyn grand jury last week on charges of conspiring to commit murder, soliciting to commit murder and possession of dangerous weapons.

The father was released Friday in $25,000 bail, reduced from the original $100,000, but friends and sympathizers of the family still have not been able to raise funds for the release of the sons.

Oil Row Settled

DAMASCUS —(AP)— Friction between Saudi Arabia and neighboring Iran regarding the potentially oil-rich Continental Shelf on the Persian Gulf has come to an end with Saudi ratification of an agreement between the two countries on their offshore boundaries.

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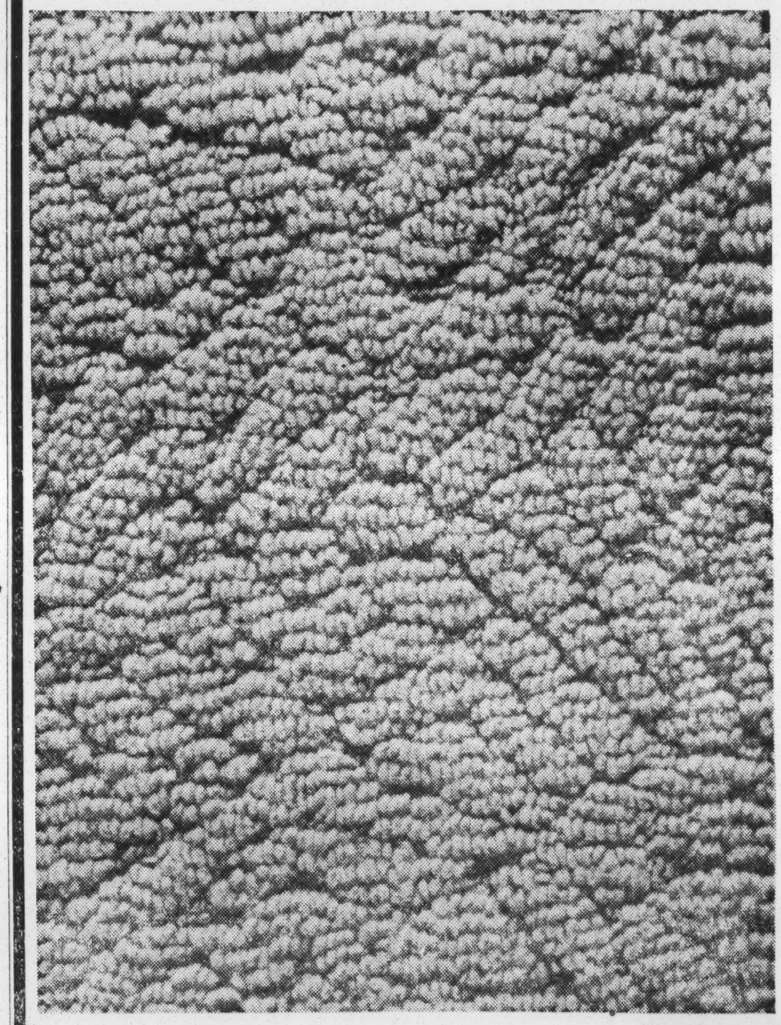

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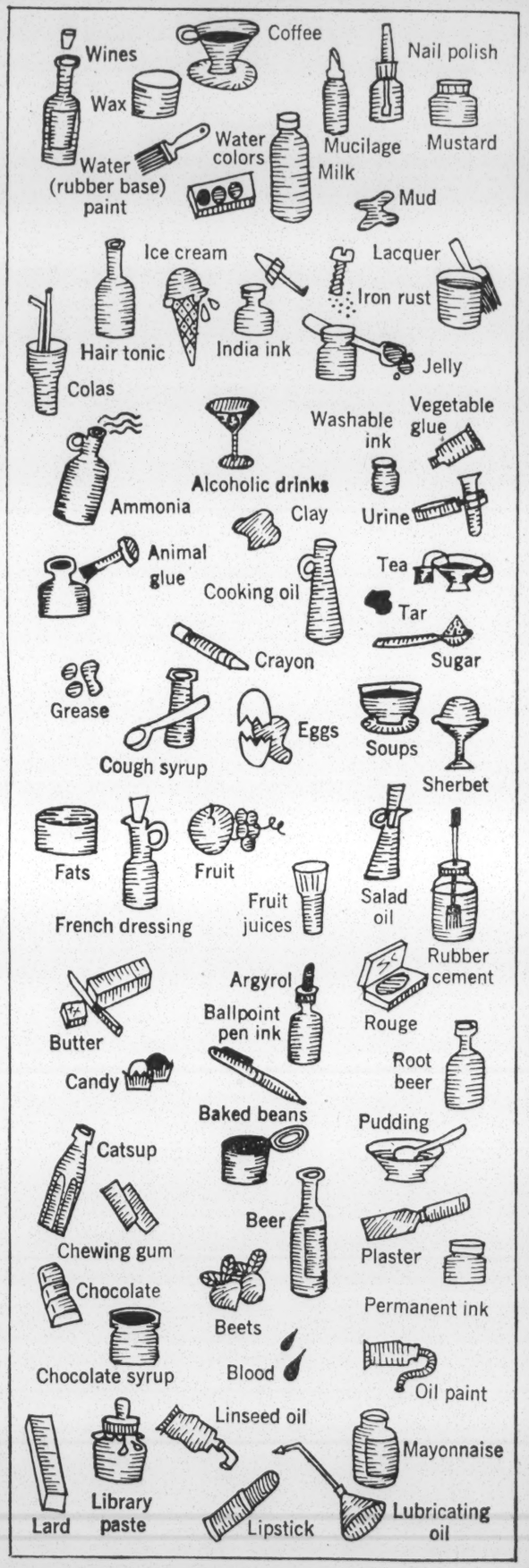

Nixon Considering Replacing GOP's Bliss

WASHINGTON — (AP) — President-elect Richard M. Nixon is considering replacing National Chairman Ray Bliss in an overhaul of the Republican Party organization.

However, associates of Nixon, who reported this prospect, said they expect Bliss to continue as head of the national committee for a while.

RAY BLISS
May Be on Way Out

But when he gets around to it, the incoming President is expected to supplant Bliss — a technician who has avoided policy making — with an individual more attention commanding than the present chairman in speeches and personal appearances.

PRESUMABLY the new chairman will be one of those among Nixon's close advisers during the presidential campaign.

Nixon was described as being anxious to gear the party organization quickly for an intensive drive to boost GOP strength in the Senate and to at least hold the line in the House in the 1970 elections.

Republicans at all levels look for the White House to maintain close liaison with the national committee and the Senate and House campaign committees which will be directly involved in the congressional election battles.

Nixon personally knows party workers from the county level on up, through his hundreds of appearances at fund-raising dinners, party conferences and state conventions in the eight years since he left office as vice president.

WHILE THE duties of the presidency may limit his personal campaigning, associates expect Nixon to devote what time he can spare to building up the party organization. It'll be needed for what has traditionally been an uphill battle with the opposing party after two years of a new administration.

A top Nixon aide, Herbert G. Klein, said over a national radio-television program — CBS' Face the Nation — Sunday that rebuilding of the Republican Party will be "one of the hallmarks of the Nixon administration.'

He said the next two years would see a strengthening of the party through Nixon's efforts "by bringing its registration of 27 per cent up to something more like the actual vote he (Nixon) received of 43 per cent."

KLEIN SAID Nixon would also rebuild and strengthen the Republican National Committee, giving it a more important role in both party and national affairs.

Since the Democrats control both houses in the new Congress, the Republicans will have no political cushion for the slide that usually develops against the White House administration in the offyear election.

The Republicans have a slim hope of ousting the Democrats from control of the Senate. But they would have to win a net of nine seats and utilize the vote of the new vice president to take over its organization.

THE DEMOCRATS control the new House organization by a margin of 51 votes. Tradition will be scrapped if the GOP can win the net of 26 seats in 1970 voting to take over that body.

Since 1954 the party in power has taken a drubbing in congressional contests, in nonpresidential years with one exception. In 1954, despite Dwight D. Eisenhower's personal popularity as President, the Republicans lost control of both houses.

The exception since then to the law of political gravitation that seems to work against the party of the White House occupant was in 1962. In that year the Democrats held their own in House races and added three seats to their substantial Senate majority.

IN THE 1966 elections, it was the old story again. Two years after President Johnson had won an elective term in a landslide, the Democrats lost 45 house and three senate seats. But they retained control of both bodies.

Unless Nixon can work some kind of political miracle or events submerge traditional voting patterns, the odds indicate he is likely to have a Democratic Congress on his hand for all of his first four years.

Nixon Is Alone for Respite

KEY BISCAYNE, Fla — (AP) — President-elect Nixon is spending a lot of time by himself, contemplating his responsibilities and problems, during a relaxing vacation here, aides said Sunday.

Press aide Ron Ziegler told reporters the President-elect had no plans for public appearances, including church, on the second full day of what is expected to be at least a four-day stay at his rented six-room house overlooking Biscayne Bay.

SINCE HIS arrival Friday night, Nixon's only public activity was his visit Saturday night to the nationally televised Alabama-Miami football game in the Orange Bowl. He stayed until the final minute of the contest, won by Alabama, 14-6.

An aide said Nixon went for a one-hour Sunday outing on the houseboat of his friend, C. B. (Bebe) Rebozo. But except for that, he was spending the day to himself.

A number of Nixon's top staff aides are also here, at a neighboring motel, including speech writers Raymond K.

4 Killed In Smashup at Santa Anna

SANTA ANNA — (AP) — Four persons were killed and three injured Sunday when their car slammed into a bridge on U.S. 84, about two miles north of this West Texas town.

The Texas Department of Public Safety identified the dead as Jesse Sanchez, 17, Erasmo Rosales, 19, Rail Rosales 20, and Johnny Rosales, 15, all of Coleman.

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A number of Nixon's top staff aides are also here, at a neighboring motel, including speech writers Raymond K. Price Jr and Patrick J. Buchanan Jr, Leonard Garment and H. R. (Bob) Ealdeman, named last week as one of the top echelon of White House assistants.

BUT ZIEGER said Nixon is spending a lot of his time sitting by himself on the porch of the home, thinking about his new responsibilities and making occasional notes on a yellow pad of legal paper, both for his inaugural speech and messages he will send to Congress after his Jan 20 inauguration.

Occasionally, Ziegler added, Nixon also discusses matters with various of his staff members, but the pace is decidedly low-key, with the President-elect still unwinding from the campaign and the hectic 10 days of meetings here and in New York.

NIXON HAS also been swimming several times in the bay and appears well-tanned.

Ziegler said there are no plans for Mrs Nixon and daughters Julie and Tricia to join the President-elect. The Nixon family attended Saturday's wedding in Valley Forge, Pa, of Former President Eisenhower's eldest granddaughter.

Smashup at Santa Anna

SANTA ANNA — (AP) — Four persons were killed and three injured Sunday when their car slammed into a bridge on U.S. 84, about two miles north of this West Texas town.

The Texas Department of Public Safety identified the dead as Jesse Sanchez, 17, Erasmo Rosales, 19, Rail Rosales 20, and Johnny Rosales, 15, all of Coleman.

Three other Coleman residents injured included Ruby Sanchez, 17, Joe Rosales, 16, and Robert Rosales, 23, the driver.

3 East Texas Wildcats Set

Smackover, Paluxy and Travis Peak wildcat tests have been staked in three East Texas Counties.

FREESTONE — W. A. Moncrief, Fort Worth, and Harry S. Phillips, Tyler, plan a 14,200-foot Smackover wildcat 10 miles north, northeast of Fairfield as Number 1 O. B. Utley. Location is in the A. Nelms survey, A-475.

WOOD — Texas Petroleum Exploration Co, Ltd, Tyler, Number 1 Wofford-Cain Unit in the W. H. Secrest survey, A-523, is a 9,000-foot Paluxy venture six miles northeast of Quitman.

MARION — Harry S. Phillips Number 1 Odie M. Haggard, a 6,200-foot Travis Peak test, will be drilled in the Robert Potter survey, A-307, 8½ miles southeast of Smithland.

Gas Industry Develops Low Cost Cooling Unit

POST OIL NEWS SERVICE

NEW YORK — The first phase of a proposed $2.6 million research and development project aimed at providing the homeowner with an economically priced combination heating and cooling unit fueled by natural gas was announced Sunday by the American Gas Association.

The two-year program will be one of the largest research and development efforts ever undertaken by AGA in behalf of the natural gas industry, according to Daniel M. Kennedy, the association's manager of climate control research.

HALF THE program's cost will be shared by AGA and the other half by four participating industry concerns — Thermo Electron Corp, Ford Motor Co, the Tappan Co and McQuay Incorp.

The program will be based upon two major technological advances developed by Thermo Electron. The first is a novel reciprocating vapor engine based on Thermo Electron's steam engine technology. The other is a basic heat-transfer process, an outgrowth of Thermo Electron work in gas-fired thermionic conversion of heat to electricity.

The system calls for combining the thermo electron engine with a reciprocating compressor to form a single, hermetically sealed unit. Development of the engine compressor using freon-22 as the refrigerant and working fluid will be undertaken by Thermo Electron and, if successful, Ford will assist in production engineering.

McQUAY WILL assist in system integration and environmental testing. Tappan and McQuay will manufacture prototypes for field test evaluation to determine the feasibility of full-scale production and distribution.

Although the initial program is oriented toward the development of a machine to provide 36,000 btu hr of cooling and 120,000 btu hr of heating, the system can be simplified to offer cooling only.

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Peanut Butter Good Value Smooth 28-Oz. Jar 69c
Grape Jam First Pick or Red Plum Preserves 18-Oz. Jar 29c
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Peppers Trappey's Dulcito 12-Oz. Can 37c
Bayou Teche Yams No. 2½ Can 29c

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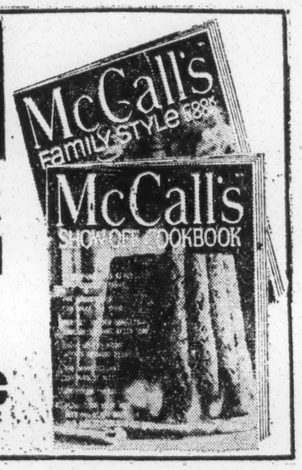

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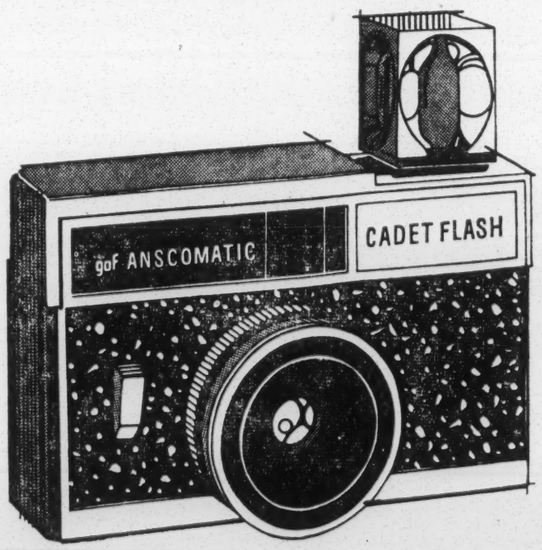

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Gonzalez Says

Report Disproves Race Bias at Kelly

SAN ANTONIO — (AP) — No systematic discrimination exists at Kelly Air Force Base, results of a six-week survey show, U.S. Rep Henry B. Gonzalez, D-Texas, said Sunday.

He said the survey also showed "dramatic gains by persons of Mexican descent within the past five years."

THE SURVEY was conducted by a 12-member team after a report by the Texas advisory committee to the U.S. Civil Rights Commission raised numerous allegations about employment practices at Kelly.

In an announcement issued over the week end, Gonzalez said more than 2,000 Kelly personnel either underwent interviews or completed anonymous statements regarding employment practices.

Also, the entire work force was reviewed, including all promotions, test scores and supervisory appraisals for a one-year period.

THE SURVEY, conducted by an Air Force-Civil Service Commission team, was termed "probably the most complete and thorough document of its kind in Air Force history," Gonzalez said.

The congressman said the team made several recommendations to curb misunderstandings and unrest due to "low visibility of the equal employment opportunity program."

The recommendations include reorganization of this program, including formation of an advisory council of employees and community lead-controls on promotions which could be manipulated.

A NEW SURVEY will be made in six to eight months to assure recommendations are being carried out, Gonzalez said.

From The Rich and The Super Rich

THE ELECT AND THE DAMNED
Ferdinand Lundberg, 1968

Most Americans--citizens of the wealthiest, most powerful and most ideal-swathed country in the world--by a very wide margin own nothing more than their household goods, a few glittering gadgets such as automobiles and television sets (usually pruchased on the installment plan, many at second hand) and the clothes on their backs. A horde if not a majority of Americans live in shacks, cabins, hovels, shanties, hand-me-down Victorian eyesores, ricket tenements and flaky apartment buildings....

At the same time, a relative handful of Americans are extravagantly endowed, like princes in the Arabian Nights tales. Their agents deafen a baffled world with a never-ceasing chant about the occult merits of private-property ownership and the the vaulting puissance of the American owners.

It would be difficult in the 1960's for a large majority of Americans to show fewer significant possessions if the country had long labored under a grasping dictatorship. How has this process been contrived of stripping threadbare most of the populace, which once at least owned small patches of virgin land? To this fascinating if off-color question we shall give some attention later.

Statements such as the foregoing on the rare occasions when they are ventured (although strictly true and by no means new) are bound to be challenged by the alert propaganda watchdogs of the established order. These propagandists, when hard pressed, offer an incantation about a mythical high American standard of living which on inspection turns out to be no more than a standard of gross consumption....

A Nation of Employees

Most adult Americans in the quasi-affluent society of today, successors to the resourceful (and wholly imaginative) Americans of Walt Whitman's lush fantasy, are nothing more than employees. For the most part they are precariously situated; nearly all of them are menials. In this particular respect Americans, though illusion-ridden, are like the Russians inhabit a less technologized society and have a single employer. There are, of course, other differences (such as the fact that Americans are allowed a longer civil leash), but not of social position. And this nation of free and equal employees is the reality that underlies and surrounds the wealthy few on the great North American continent....

(A) recent (study) made... by Professor Robert J. Lampman of the University of Wisconsin for the National Bureau of Economic Research (shows the following):

1. More than 30 per cent of the assets and equities of the personal sector of the economy (about 20 per cent of all wealth in the country being government-owned) in 1953 was held by 1.6 per cent of the adult population of 103 million.

2. The group of 1.6 per cent owned 32 per cent of all privately owned wealth, consisting of 82.2 per cent of all stock, 100 per cent of state and local (tax-exempt) bonds, 38.2 per cent of federal bonds, 88.5 per cent of other bonds, 29.1 per cent of cash, 36.2 per cent of mortgages and notes, 13.3 per cent of life insurance reserves, 5.9 per cent of pension and retirement funds, 18.2 per cent of miscellaneous property, 16.1 per cent of real estate and 22.1 per cent of all debts and mortgages.

3. The following table shows the percentage of national wealth-holdings for the top ½ of 1 per cent and 1 per cent for the indicated years.

	½ of 1 Per Cent of Adult Population (per cent)	1 Per Cent of Adult Population (per cent)
1922	29.8	31.6
1929	32.4	36.3
1933	25.2	28.3
1939	28.0	30.6
1945	20.9	23.3
1949	19.3	20.8
1953	22.7	24.2
1954	22.5	....
1956	25.0	26.0

Actually, in view of market valuations, the share of top wealth-holders at this writing is easily the greatest in history. It is my hyphothesis that the share of the top ½ of 1 per cent now exceeds the 32.4 per cent of this group for 1929. Later studies should show that the proportions for all groups of top wealth-holders studies by Lampman have been significantly exceeded....

It is going to be taken as fully established that 1.6 per cent of the adult population own at least 32 per cent of all assets, and nearly all the investment assets, and that 11 per cent of households own at least 56 per cent of the assets and 60 per cent of the net worth. It is even possible, as we have seen, that ½ of 1 per cent own more than one-third of all productive assets as of 1965-67. It is evident that this leaves very little to be apportioned among 90 per cent of the population....

Sargent Shriver, director of the Office of Economic Opportunity and former President John F. Kennedy's brother-in-law, suggested that a family of four with a yearly annual income under $3,000 and an individual with an income under $1,500 be classified as poor, which would put more than 30 per cent of all families in the poverty-stricken category according to University of Michigan figures. For the University of Michigan Survey of Consumer Finances showed for 1962 that, while the figures of the lowest tenth of all spending units (households) were not then available, the figure for the next to the lowest tenth was $1,510 for each household; and for the third from the lowest tenth it was $2,510. For the fourth tenth from the bottom it was only $3,350. Mr. Shriver subsequently raised his figures to $3,130 and $1,540.

The United States Chamber of Commerce predictably challenged Mr. Shriver's first gauge of poverty as too high. "The Chamber of Commerce based its criticism of the old gauge," said the New York Times, "on the fact that a small family living in a warm climate and growing most of its own food could live comfortably on $3,000 a year....

For my part, I would say that anyone who does not own a fairly substantial amount of income-producing property or does not receive an earned income sufficiently large to make substantial regular savings or does not hold a well-paid securely tenured job is poor. He may be healthy, handsome and a delight to his friends--but he is poor. By this standard at least 70 per cent of Americans are certainly poor, although not all of these by any means are destitute or poverty-stricken. But, as was whown in the 1930's, Americans can become destitute overnight if deprived of their jobs, a strong support to mindless conformity. As a matter of fact, many persons in rather well-paid jobs, even executives, from time to time find themselves jobless owing to job discontinuance by reason of mergers, technical innovation or plant removal. Unable to get new jobs, they suddenly discover, to their amazement, that they are really poor, and they also discover by harsh experience to what specific conditions in the word "poverty" refers. And even many of those who never lost their jobs often discover in medical and similar emergencies that they are as helpless as wandering beggars. They are, in fact, poor. In such eventualities the man of property is evidently in a different position. He is definitely not poor.

Let me tell you about the very rich. They are different from you and me. They possess and enjoy early, and it does something to them, makes them soft where we are hard, and cynical where we are trustful, in a way that, unless you were born rich, it is difficult to understand. They think, deep in their hearts, that they are better than we are because we had to discover the compensations and refuges of life for ourselves. Even when they enter deep into our world or sink below us, they still think that they are better than we are. They are different.

__F. Scott Fitzgerald

The Other America
Michael Harrington

Michael Harrington is a free-lance writer who has dedicated his talents to the betterment of the working man. His book, THE OTHER AMERICA, stimulated the development of the legislation which became known as the "War on Poverty." He describes the special kind of poverty that afflicts the U.S.A.

There is a familiar America. It is celebrated in speeches and advertised on television and in the magazines. It has the highest mass standard of living the world has ever known.

In the 1950's this America worried about itself, yet even its anxieties were products of abundance. The title of a brilliant book was widely misinterpreted, and the familiar America began to call itself 'the affluent society'...

While this discussion was carried on, there existed another America. In it dwelt somewhere 40,000,000 and 50,000,000 citizens of this land. They were poor. They still are.

To be sure, the other America is not impoverished in the same sense as those poor nations where millions cling to hunger as a defense against starvation. This country has escaped such extremes. That does not change the fact that tens of millions of Americans are, at this very moment, maimed in body and spirit, existing at levels beneath those necessary for human decency. If these people are not starving, they are hungry, and sometimes fat with hunger, for that is what cheap foods do. They are without adequate housing and education and medical care.

But even more basic, this poverty twists and deforms the spirit. The American poor are pessimistic and defeated, and they are victimized by mental suffering to a degree unknown in Suburbia.

This book is a description of the world in which these people live; it is about the other America. Here are the unskilled workers, the migrant farm workers, the aged, the minorities, and all the others who live in the economic underworld of American life.

Poverty is often off the beaten track. It always has been. The ordinary tourist never left the main highway, and today he rides interstate turnpikes...and everything is black and dirty....

Then, too, beauty and myths are perennial masks of poverty. The traveler comes to the Appalachians in the lovely season. He sees the hills, the streams, the foliage--but not the poor....

The American city has been transformed. The poor still inhabit the miserable housing in the central area, but they are increasingly isolated from contact with, or sight of, anybody else.... The failures, the unskilled, the disabled, the aged, and the minorities are right there, across the tracks, where they have always been. But hardly anyone else is....

Clothes make the poor invisible too: America has the best dressed poverty the world has ever known. For a variety of reasons, the benefits of mass production have been spread much more evenly in this area than in many

others. It is much easier in the United States to be decently dresses than it is to be decently housed, fed, or doctored....

Then, many of the poor are the wrong age to be seen. A good number of them (over 4,000,000) are sixty-five years of age or better; an even number are under eighteen....

And finally, the poor are politically invisible. It is one of the cruelest ironies of social life in advanced countries that the dispossessed at the bottom of society are unable to speak for themselves. The people of the other America do not, by far and large, belong to unions, to fraternal organizations, or to political parties... They have no face; they have no voice.

But the real explanation of why the poor are where they are is that they made the mistake of being born to the wrong parents, in the wrong section of the country, in the wrong industry, or in the wrong racial or ethnic group. Once that mistake has been made, they could have been paragons of will and morality, but most of them would never even have had a chance to get out of the other America.

There are two important ways of saying this: The poor are caught in a vicious circle; or, The poor live in a culture of poverty....

Here is one of the most familiar forms of the vicious circle of poverty. The poor get sick more than anyone else in the society. That is because they live in slums, jammed together under unhygienic conditions; they have inadequate diets, and cannot get decent medical care. When they become sick, they are sick longer than any other group in the society. Because they are sick more often and longer than anyone else, they lose wages and work, and find it difficult to hold a steady job. And because of this, they cannot pay for good housing, for a nutritious diet, for doctors. At any given point in the circle, particularly when there is a major illness, their prospect is to move to an even lower level and to begin the cycle, round and round, toward even more suffering....

...a way of looking at reality, a series of attitudes, a special type of life...Everything about them, from the condition of their teeth to the way in which they love, is suffused and permeated by the fact of their poverty....

The family structure of the poor, for instance, is different from that of the rest of the society. There are more homes without a father, there are less marriage, more early pregnancy and, if Kinsey's statistical findings can be used, markedly different attitudes toward sex. As a result of this, to take but one consequence of the fact, hundreds of thousands, and perhaps milions, of children in the other America never know stability and 'normal' affection....

There is, in short, a language of the poor, a psychology of the poor, a world view of the poor. To be impoverished is to be an internal alien, to grow up in a culture that is radically different from the one that dominates the society.

Permanent Poverty, An American Syndrome, 1967
Ben B. Seligman

The War on Poverty is grinding to a halt. The expectations of many poor have been aroused; they have anticipated entry into that society which has been denied to them for so long. But now, after several years of agitation, the Great Society seems to be no different from the Ordinary Society. The poor will return to their urban and rural slums, as quiescent as they have been through all the years back to the beginning of time. The promise has not been fulfilled, and it appears that poverty, even in an affluent society, has congealed and hardened into a kind of subculture that represents a social syndrome, an ineradicable condition.

What has happened is aptly described by Oscar Lewis. He speaks of a culture of poverty to which millions of people in this country have been relegated. It is a culture, or more accurately a subculture of the larger society, in which the capacities of the poor for self-help and leadership may often be clearly present, as evidenced by some of the experiences of OEO. But other behavior shows such destructive effects of poverty that some observers can see only middle-class guidance to remedy the situation. As Lewis indicates, and as the evidence demonstrates, these contending views have resulted in bitter political conflict.

Yet the battle may be academic, for poverty seems ineradicable. In an industrial society where large segments of the population must suffer joblessness because they are unskilled, low wages when they are employed, a distorted family structure, and inadequate services in such areas as education and health, there are many who will find themselves rejected. They will be illiterate and as a consequence will develop those traits that accompany the subculture of poverty—illiteracy and indifference. Their behavior will express an attempt to deal with despair, hopelessness, and failure. And these traits will pass from generation to generation to create unseen chains that constitute a social syndrome. Inhabitants of this subculture do not participate in the larger society because they cannot or are not allowed to. The latest illustration is the War on Poverty. The poor do not take part in the economic order, or only peripherally, and they partake of the fruits of society in marginal ways.

Lewis tells us that poor people are aware of middle-class values and would like to "claim some of them as their own," yet one cannot measure their behavior by middle-class criteria. In the United States the dominant characteristics of the subculture of poverty are a sense "of marginality, of helplessness, of dependence...of inferiority...of racial discrimination," all calculated to create the kind of provincial feeling that removes one from the mainstream of social life. Wars on Poverty notwithstanding, it is a situation extraordinarily difficult to alter, especially when a small public effort is converted into lack of concern, or worse, complete retreat.

Anthropologist
Def. of Poverty as
Sub-Culture

The Children of Sanchez, 1961
Oscar Lewis

It is the anthropologists, traditionally the spokesmen for primitive people in the remote corners of the world, who are increasingly turning their energies to the great peasant and urban masses of the less-developed countries. These masses are still desperately poor in spite of the social and economic progress of the world in the past century. Over a billion people in seventy-five nations of Asia, Africa, Latin America, and the Near East have an average per capita income of less than $200 a year as compared with over $2,000 a year for the United States. The anthropologist who studies the way of life in these countries has become, in effect, the student and spokesman of what I call the culture of poverty.

To those who think that the poor have no culture, the concept of a culture of poverty may seem like a contradiction in terms. It would also seem to give to poverty a certain dignity and status. This is not my intention. In anthropological usage the term culture implies, essentially, a design for living which is passed down from generation to generation. In applying this concept of culture to the understanding of poverty, I want to draw attention to the fact that poverty in modern nations is not only a state of economic deprivation, of disorganization, or of the absence of something. It is also something positive in the sense that it has a structure, a rationale, and defense mechanisms without which the poor could hardly carry on. In short, it is a way of life, remarkably stable and persistent, passed down from generation to generation along family lines. The culture of poverty has its own modalities and distinctive social and psychological consequences for its members. It is a dynamic factor which affects participation in the larger national culture and becomes a subculture of its own.

The culture of poverty, as here defined, does not include primitive peoples who backwardness is the result of their isolation and undeveloped technology and whose society for the most part is not class stratified. Such peoples have a relatively integrated, satisfying, and self-sufficient culture. Nor is the culture of poverty synonymous with the working class, the proletariat, or the peasantry, all three of which vary a good deal in economic status throughout the world. In the United States, for example, the working class lives like an elite compared to the lower class of the less developed countries. The culture of poverty would apply only to those people who are at the very bottom of the socio-economic scale, the poorest workers, the poorest peasants, plantation laborers, and that large heterogenous mass of small artisans and tradesmen usually referred to as the lumpen proletariat....

The economic traits which are most characteristic of the culture of poverty include the constant struggle for survival, unemployment and underemployment, low wages, a miscellany of unskilled occupations, child labor, the absence of savings, a chronic shortage of cash, the absence of food reserves in the home, the pattern of frequent buying of small quantities of food many times a day as the need arises, the pawning of personal goods, borrowing from local money lenders at usurious rates of interest, spontaneous informal credit devices (tandas) organized by neighbors, and the use of second-hand clothing and furniture.

Some of the social and psychological characteristics include living in crowded quarters, a lack of privacy, gregariousness, a high incidence of alcholism, frequent resort to violence in the settlement of quarrels, frequent use of physical violence in the training of children, wife beating, early initiation into sex, free unions or consensual marriages, a relatively high incidence of the abandonment of mothers and children, a trend toward mother-centered families and a much greater knowledge of maternal relatives, the predominance of the nuclear family, a strong predisposition to authoritarianism, and a great emphasis upon family solidarity—an ideal only rarely achieved. Other traits include a strong present time orientation with relatively little ability to defer gratification and plan for the future, a sense of resignation and fatalism based upon the realities of their difficult life situation, a belief in male superiority which reaches its crystallization in machismo or the cult of masculinity, a corresponding martyr complex among women, and finally, a high tolerance for psychological pathology of all sorts....

Many of the traits of the subculture of poverty can be viewed as attempts at local solutions for problems not met by existing institutions and agencies because the people are not eligible for them, cannot afford them, or are suspicious of them. For example, unable to obtain credit from banks, they are thrown upon their own resources and organize informal credit devices without interest. Unable to afford doctors, who are used only in dire emergencies, and suspicious of hospitals "where one goes only to die," they rely upon herbs or other home remedies and upon local curers and midwives. Critical of priests "who are human and therefore sinners like all of us," they rarely to to confession or Mass and rely upon prayer to the images of saints in their own homes and upon pilgrimages to popular shrines.

A critical attitude toward some of the values and institutions of the dominant classes, hatred of the police, mistrust of government and those in high position, and a cynicism which extends even to the church gives the culture of poverty a counter quality and a potential for being used in political movements aimed against the existing social order. Finally, the subculture of poverty also has a residual quality in the sense that its members are attempting to utilize and integrate into a workable way of life the remnants of beliefs and customs of diverse origins.

Guaranteed Income

United Negro College Fund Guaranteed Income

Evan Dealey —
Problems of GI

R. Lampman
A.H. Cutler
October, 1969

UNCF Chase Manhattan Bank Series in Economics —

A. Three Transfer mentalities (philosophy) — Way of responding or pre-set

Guaranteed income plan variables

tightly tied together — change one & will change another

- G = guarantee (the amount of neg. tax in event of no income)
- Tax Rate =
- Breakeven Point — when pre & post allowance income are equal

Definitions of income, Unit, Period

Administration

A. People are pre-conditioned: ① to accept ② So hostile as not to hear

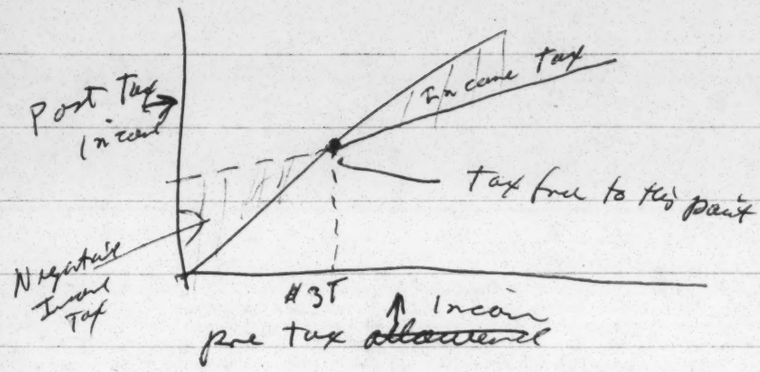
① Social ~~Security~~ Insurance — pre-conditions against G-I
New Deal Liberals (Altmeyer, W. Cohen,) Restitution for loss — Replace a normal income — departs from norms of typical welfare — not well adapted to poverty (didn't have income or coverage)

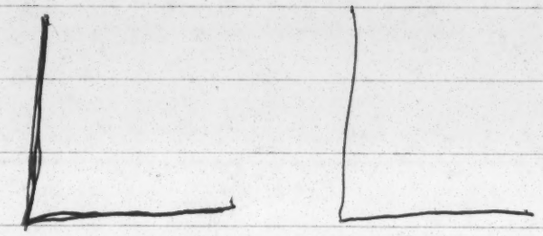
② Minimum Provision — Social obligation to underwrite a min level — Public Asst., also in Ed (min ed. for all), usually case by case & equity among cases not highly prized

③ Income Tax (as in progressive) — emphasis on equity, classified in into groups thought to be useful in identifying individuals — equity within a groups & same equity as between groups —

① (above) almost no U.C. to poor —

② " " Public Assist not receptive to G.I.





horizontal equity principle

a) ~~Some~~ tax free income (no ability to pay below a given level)

b) Tax = negative transfer

Current taxes net 14% — 70% (Marginal tax rate — what margin of dollars taxed —

lowest dollars — highest dollars

only after $3T for family of four
$600 exemptions × 4 + $300 standard deduction for wage earner & $100 for each other member —

Pre allowance Income		Allowance	Post Allowance Income	
0		1500	1500	
1,000	1000 difference	1000	2000	500 difference
2,000		500	2500	
3,000		0	3000	

1000 ÷ 500 = 50% margin

Change in benefit divided into gives marginal rate

Pre allowance	Allowance	Post Allowance
0	1500	1500
1000	1250	2250
2000	1000	3000
3000	750	3750
4000	500	
5,000	250	
6000 — 0		

Marginal rate now 25% —

less disincentive than 50% — comparable to rates on upper-middle incomes —

Breakeven point

Lower the marginal rate, higher the breakeven point —

g. High	g. Low
Tax rate high	T. R Low
Break Even high	B.E low

Friedman — low g & low TR

Heabaud — High g & high TR

What income is included in pre allowance base —

a way to account for total resources input to equity & for PR & legislation

former — include food he raises

i.e., imputed rent where family owns house — $100,000 farm, but bad year —

what about high asset total; e.g.

how about losses — e.g. medical, day care center —

Unit — Any family can repat? who defers —
~~Fathe~~ Might Divide family w/ those receiving income and those not —
perhaps use a forced joint repat

(e.g. if millionaire's daughter goes to V, Nay as hippie &

Period — One year's, one mathis or something dat —
& income tax thinking
Public Asst & Soc. Ins. use different periods
Year is much too long for poor —
Nixon proposal vague about period —
Sounds as if quarter —
will take into account past & forecast
of ~~periods~~ income but don't say what
period —

Admin — IRS, Public Asst. offices, Soc. Sec.
Nixon plan proposes Soc. Sect. — Federally administered

Could ask what federal income expected, start payments,
then reconcile at end of yr.
or look at prior 12 mos, still monthly,

Tendency for parents to adhere to specific plans of also to get discouraged and to abandon because of a particular snag. —

Unit —

what about 21yr & over earning but from poor family —
Any age of separate filing (cut off age for young) you will create difficulty — if too low might encourage youngsters to leave home —
~~but~~ what about 16yr old girl with illegitimate child —
Many legislators look to impact on promiscuity & illegitimacy
Martha Griffiths of this Dept

Is there a "chemical" or other "valid" difference in graph line for positive & negative tax — or a difference in the people

If woman headed family under public assist.
U.C. OAIS

a) pol power use —

b) fundment "deirf" benefits

e.g. medical to the younger adult
U.C.

e.g. earns 1500 & g.i. then men then becomes 1500

if earlier would add 750
will be continue bennk

effect of the added amount on
Income effect

Substitution effect

AFL-CIO argues UI will depress wages -
Security to business, if bus. reduces wages to
extent of benefit
will maintain sub-marginal employers -
(perhaps more of an argument re State & local govt —
So might slow an increase in wages, but
not likly to even actually cut wages

Ret to EV for Investment Income
(Res) and

WALL STREET JOURNAL, TUESDAY, DECEMBER 23, 1969

Politics *and* People

By ALAN L. OTTEN

Income Strategy

WASHINGTON—A phrase the Nixon Administration long reserved for internal use only has now begun to surface publicly.

The phrase is "income strategy," and it means the Administration has decided that the best way the Federal Government can go about improving the lot of the poor, black or white, is to get more money into their hands, and let them decide how best to spend it. Put that way, it sounds absurdly obvious and unimportant. But income strategy is commonly posed as an alternative of sorts to a "service strategy" that Nixonites believe characterized the approach of earlier Administrations —trying to have government itself provide the poor with the housing, food, medical care or other needed goods and services, rather than the money to buy them with.

The idea of an income strategy—or a jobs-and-income strategy, as it is also described—has long been urged, in scholarly journals and within the Administration, by Presidential adviser Daniel P. Moynihan. Other officials such as Labor Secretary George Shultz seem to agree. The President himself, aides say, has for some time adopted the term and the idea in remarks at staff meetings and Cabinet-level sessions such as those of the Urban Affairs Council.

Mr. Nixon now, though, has publicly stamped his seal of approval on the approach. In a generally overlooked portion of his remarks to the White House food conference early this month, he declared that "our basic policies for improvement of the living conditions of the poor are based on this proposition: That the best judge of each family's priorities is that family itself; that the best way to ameliorate the hardships of poverty is to provide the family with additional income, to be spent as that family sees fit."

And with the President setting the tone, other Administration men have begun to employ the "income strategy" term in speeches and background briefings for reporters.

* * *

An income strategy has various facets—welfare and other direct payments to the poor, tax relief for the poor, job and business opportunities. White House men cite efforts in each area.

Mr. Nixon's proposed family assistance plan would, of course, give the poor a massive infusion of income—the millions now on welfare and millions more of working poor. Though Congress originated the drive for tax reform, the Administration takes credit for having pushed hard for changes to take millions of the poor off the tax rolls or give them extra-large tax cuts. (People formally defined as "poor" by government statistical standards have, paradoxically, been paying some $600 million a year in taxes, equal to one-third the cost of the war on poverty, one Administration man pointed out last week.)

[illegible] approach lies behind

way to ameliorate the hardships of poverty is to provide the family with additional income, to be spent as that family sees fit."

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The jobs-and-income approach lies behind the Administration's efforts to overhaul job training programs, with greater leeway for local government units to tailor training and counseling to the local job market, and it's also behind the currently controversial Philadelphia plan to set goals of specific numbers of jobs for Negroes on Government construction contracts. Officials say their mass-transit plans envision substantial efforts to get local lines to take the unskilled worker from his slum home out to the suburbs where new factories and jobs are, and that a major purpose of "Operation Breakthrough" to lower home-building costs is to get more low-cost housing in those same suburbs.

Expanded help for black businessmen is another aspect of the overall income strategy—though admittedly one getting off the ground slowly.

The contrasting "service strategy" is probably best exemplified by the ambitious public housing programs of the 1930s and '40s, with Uncle Sam financing the building of special housing for low-income groups. Medicare and Medicaid, food stamps, a shopping list of welfare services, school lunches and breakfasts, special payments for teachers and textbooks in slum schools—all are examples of the Government's deciding what the poor need and trying to supply those needs itself.

* * *

The case Mr. Moynihan and others make for an income strategy is simple. The thing the Government does best, they argue, the thing it does most economically and efficiently from long practice, is to pass out money—tax refunds, Social Security and veterans' benefits. Somehow the Government doesn't know how to provide goods and services nearly as efficiently.

Large amounts of Federal money go for huge bureaucracies of middle-class experts—teachers, social workers, lawyers; less is left for the poor. Distribution systems often work out badly; in some counties, as little as 16% of poor families eligible for food stamps actually get them. In short, service programs have fallen short on performance, leaving wide disappointment.

Moreover, the critics contend, large infusions of Government effort in service-type programs tend to deteriorate the market. Public housing projects become economic and architectural nightmares. Medical costs spiral upward, consuming much of the Government outlay.

An extra advantage of the income approach, some advocates say, is that it is less obviously "black" than many service programs, and so may stem growing white hostility to Government aid for the poor. Only about one-third of the people who would benefit under the Nixon welfare plan, for instance, would be Negroes, compared with almost half those helped by the present Aid to Families With Dependent Children program. Other efforts may give the Negro just as much help as present, but may not appear so evidently aimed at him.

Previous Administrations, of course, pursued some elements of income strategy, and in such programs as rent supplements they were moving more in that direction. And the present Administration will continue to offer school lunches, medical help and other politically popular service programs. But there may well be a steady and significant shift in emphasis—eventually trying, for example, to cut back food stamps as family assistance payments increase.

"This is no occasional tactic, but a consistent strategy," one top Nixon aide maintains. "The President is committed to it. He is pursuing it, and will continue to pursue it."

Decorated Room

$10 BILLION A YEAR FOR PUBLIC WELFARE!

WHO GETS IT...

THE nation begins a new decade with a massive domestic problem few understand—widespread poverty side by side with widespread prosperity.

Many of us just can't believe, even at this late date in our history, that such deprivation can exist in the United States.

Why can't we believe it? Because most of us—fortunately—are literate, employed and well housed, and enjoy good health, own cars and all sorts of things, have no long background of want, or any such background.

Besides, few of us know that tens of millions of Americans can't read, don't have the most elementary work skills, are chronically ill or otherwise disabled, live in decayed houses, own practically nothing—and always have—and come from two or three generations damaged by human want.

Consequently, in 1970 poverty is still the biggest domestic problem in our country. One measure of that burden, public welfare, involves 10 million public dependents and $10 billion in annual expenditures. And those welfare recipients represent less than half of all Americans living in poverty. How can so many people really be in need? Why don't they go to work like everybody else? Where do "these people" come from? These and other questions are asked of public welfare administrators every day.

All the questions have one answer: the stark facts of life.

What stark facts?

These:

Sickness, accidents, disability, old age, death, unemployment, illiteracy, inadequate work skills, low income, absence of a breadwinner, bad housing, discrimination.

Such adverse conditions affect tens of millions of Americans—Unable Americans—who are the "source of supply" for our welfare rolls in the past, today—and tomorrow.

With a constantly rising population, more and more people are exposed to these social and economic hazards—and the toll, in people and in money, continues to rise. For example, in the last 30 years our population increased by more than 70 million.

To spell it all out—

Sickness and Disabilities

Aproximately 22 million persons 17 years of age or older are disabled to some extent by a chronic ailment.

Of these, 4 million cannot carry on their major activities—earning a living or keeping house. 12 million others are limited in the kind or amount of work they can do.

Over 29 million persons are admitted to hospitals each year, and at any given time 1,400,000 patients are in these hospitals.

20 million adults and children are afflicted with mental and emotional disorders.

Some 5 million others are mentally retarded.

Another 6½ million suffer from alcoholism to the point where they cannot hold jobs.

115,000 accident victims die each year and 11 million others are disabled—a number of them permanently.

More than 400 million work days are lost annually because of illness.

30 million Americans have no health insurance.

A steady rise in the cost of medical care is prompting many people to risk going without medical attention and forcing others to turn to Medicaid to pay for medical care.

Sickness and disability are major causes of public dependency, accounting for three-fifths of all public welfare costs.

Inadequate Income

25 million people, or 13 percent of the total population, live in poverty, according to government standards.

10 million are children.

About one-third of the Negro population are poor, and half of them are in families headed by a woman.

Nearly one-fourth of the white poor total of 17½ million are over 65 years of age.

Many who are on the welfare rolls do not get enough assistance to support a minimum subsistence scale of living.

Jobless and Part-timers

3 million persons are totally unemployed.

More than 2 million who want full-time work are able to get only part-time jobs.

It is estimated that only 5 percent of all public assistance recipients are employable in today's labor market.

Lack of education and lack of work skills needed in today's labor market condemn large numbers of adults and young people to unemployment, under-employment, or low-pay jobs.

More than 3 million adults are illiterate.

Half of all unemployed youth, ages 16-21, are functionally illiterate.

An estimated 10 million children and teenagers have some significant reading difficulty.

About 20 percent of the labor force have only eight years of education or less.

Lack of Education

More than 6 million Americans age 25 or over have not completed the fifth grade.

What lack of education means in earning capacity is shown in the following figures:

1968 Median Annual Income

(25 yrs. of age and over)

	Males	*Females*
Less than 8 years of school	$3,333	$1,238
8 years of school	5,096	1,590
1-3 yrs. of high school	6,569	2,177
4 yrs. of high school	7,731	3,073

The high school dropout underlines the importance of education. The unemployment rate among workers who failed to finish high school is almost double the rate among those with more education. There are almost 5 million dropouts in the 14-24 age group of the population.

In today's economy fewer and fewer persons can look forward to spending their lives in one occupation or in one location. Workers must be prepared to switch from one type of work to another and, in many cases, move their families to distant points to get jobs. However, lack of education and currently marketable job skills frequently preclude such mobility and opportunity.

Forms of Discrimination

Approximately 60 million Americans are age 45 or older; of these, more than 19 million are 65 or older. Workers in both groups find their age is a serious handicap in keeping or finding employment because of discriminatory age deadlines in business and industry.

Discrimination based on color has been another obstacle to employment for many of the nation's 24 million nonwhite citizens, along with lack of work skills. The unemployment rate among nonwhites is twice as high as among white workers. And the average income of nonwhite families is 60 percent that of white families.

Poor Living Conditions

Approximately 9 million families live in the slums. It has been

and why

demonstrated repeatedly that the incidence of disease, crime, delinquency, and school dropout is greater in the slums than in other neighborhoods. These and other factors combine to limit the employability of young people growing up in the slums and to perpetuate a pattern of life marked by poverty, sickness, and crime.

Over 5 million public assistance recipients, most of them women and children in families receiving aid to dependent children, live in housing that is deteriorating, dilapidated, unsafe, insanitary or overcrowded. In more than 3 million of these households, the average allowance for housing is less than $400 a year. More than 40 percent of all old-age assistance recipients live in deficient housing; in some rural and Southern areas the range is from 45 to 70 percent.

These stark facts of life add up to why 10 million Americans are on the nation's welfare rolls at an annual cost of $10 billion, and why some 95 percent of them are too sick, too disabled, too old, too young, too illiterate or too unskilled to hold a job.

Our Frustrated Poor

The Rev. Charles Fahey, director of Catholic Charities in Syracuse, N.Y., summed it up this way recently:

"At the heart of our economic system is advertising which stimulates in all of our people—poor and affluent alike—a desire for more material things. The poor have the same aspirations as do others, only theirs tend to result in dramatically increasing frustration and alienation.

"It would be a shame were our desire for material wealth to dull our sensitivity to human needs and blunt the compassion for which America has been so long noted. Welfare and social programs to provide food, clothing, shelter, training, and medical care to our people cost money, but the alternative is absolutely unacceptable because it costs people, and they may in turn cost our very civilization.

"The welfare system tends to be that which inherits the failures and problems of all other sectors of our society. As a result it can never alone hope to solve the problems which surface within it.

"It can and should be revamped in such a way that those who have no or limited access to the productivity of the nation can live in dignity. Furthermore, it should serve as a constant reminder of all the unfinished business of our society and as a spark to many social and legal reforms."

Return to Miles Galvin

Books and the Arts

Who Gets Ahead?

by Christopher Jencks

If you ask Americans what they think about politics, religion, child rearing, or almost any other subject, northerners will give different answers from southerners, whites different answers from blacks, small towners from suburbanites, blue-collar workers from white-collar, men from women. There is one exception to this rule, however, namely the job market. This otherwise

The American Occupational Structure
by Peter Blau & Otis Dudley Duncan
(Wiley; $14.95)

diverse society is held together by a national economy, and almost every group uses the same criteria for judging the desirability of various kinds of work. The higher the average pay and the average level of education of men in an occupation, the higher its prestige with every sort of American. (The major exception to *this* rule is farming, which ranks in the middle of the prestige scale but at the bottom of the economic and educational scales, an inconsistency that has been a continuing source of political ferment during the past century.) The status of various occupations has remained stable over the 40 years since sociologists first investigated the subject.

Under such circumstances the competition for desirable jobs inevitably is fierce, and bitterness among those who have to accept undesirable work is commonplace. These feelings lie at the root of whatever class consciousness there is in America. One way to defuse the revolutionary potential in such feelings might be to reduce the pay, prestige, and power differences among occupations, but America has never seriously attempted this. Instead, it has tried to convince people that their troubles were largely of their own making, and that they could get desirable jobs (or at least their children could) if they worked harder and behaved better. This hope has been embodied in the slogan "equality of opportunity." If realized, it would mean that a child's life chances would depend entirely on his own capabilities and choices, rather than on such "accidents" as whether his parents were rich or poor, white or black, natives of Iowa City or Palermo.

This ideal is inevitably elusive, since individual capability and temperament depend partly on the genes a man inherits. Capability and temperament also depend to a substantial degree on early childhood experience, and so long as there are dramatic inequalities among parents some children will inevitably have the benefit of more favorable environments than others. Yet the dream of equal opportunity persists, inspiring all sorts of idealistic demands for new government programs and new social institutions.

Despite its political importance, however, we have surprising little reliable evidence about the extent to which this ideal is being realized. To what extent does a man's eventual position in the occupational hierarchy depend on his father's position? How much difference does it make if his parents are well educated? If they stay married? If they have a lot of children or only a few? How important is it to be brought up in a big city rather than a small town? In the north rather than in the south? How much of a handicap is it to have Italian-American parents? How important is skin color? If these considerations are not the whole story – and they certainly are not – how important are the individual's own early choices: to stay in school or drop out, to marry a rich girl rather than a poor one, to leave the community he was born in or stay, his choice of his first job? And to what extent are man's eventual jobs determined by factors different from all these, factors completely unrelated to family background and early experience?

A number of social scientists have investigated these questions over the years, but they have never had the resources to study large representative samples of men from all over the country, nor have they been able to draw reliable conclusions about historical trends. Until recently, moreover, their statistical analyses of their data have been relatively primitive. In March, 1962, the Bureau of the Census set out to remedy this situation by collecting information on the family backgrounds of a representative sample of some 20,000 men between the ages of 20 and 65. This data has now been analyzed by Peter Blau, a sociologist at the University of Chicago, and Otis Dudley Duncan, a demographer at the University of Michigan.

While it is not the last word on occupational hierarchy and mobility in America, *The American Occupational Structure* is by far the most impressive book on the subject to date and will certainly become the point of departure for future research. Yet, like most modern quantitative social science it is virtually unreadable. In part this is because the authors have a penchant for Germanic syntax and Latinized diction which makes it easy to forget that they are talking about real phenomena. (They are, however, less culpable in this respect than many academic writers.) A more serious problem is that they present the heart of their argument in a statistical shorthand that will baffle the lay readers. Here again they are less guilty than many of their colleagues, for they explain enough of their method so that a statistical semi-literate such as myself can grasp their meaning. Nevertheless, many readers will have to accept their conclusions on faith.

The authors' most politically important finding is probably that the factors which determine a man's eventual position in the occupational hierarchy

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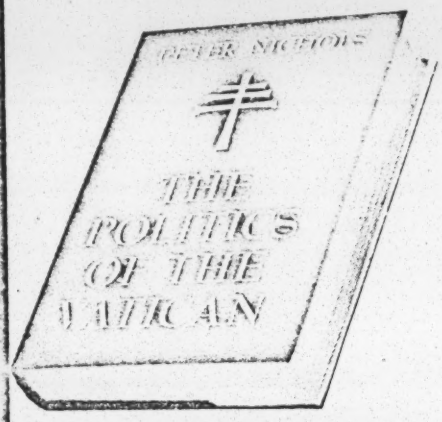

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do not seem to have changed much since World War I. In particular, the relationship between a father's occupational status and his son's has been remarkably stable.

How strong is this relationship? One answer is that a father normally passes along about two-fifths of his occupational advantage to his children. Consider, for example, a group of men near the top of the occupational ladder, at the 84th percentile. Their sons will almost all end up above the 50th percentile, but only a small minority will do as well as their fathers did. The typical son of such a father will fall from the 84th to the 65th percentile. In absolute terms, of course, such a son may not *feel* downwardly mobile, first because expanding GNP means he will almost certainly make more money than his father did, and second because changes in the occupational structure mean that some of tomorrow's 65th percentile jobs will have titles almost as prestigious as today's 84th percentile ones. Nonetheless, while elite sons have a considerable advantage in competing for top positions, the majority of these positions go to young men moving up from below, simply because there are so many more of these youths.

If we turn to the bottom of the occupational hierarchy we find the same pattern of mobility, only inverted. If we look at fathers whose jobs put them at the 16th percentile, for example, we find that their sons typically move up to the 35th percentile. The sons, in other words, inherit only two-fifths of their fathers' disadvantage vis-à-vis the average American. As with the well-to-do, this picture is complicated by the fact that the overall standard of living is improving and low-status, unskilled jobs are gradually being eliminated. The men who end up in poverty are therefore those who have stood still while others born in similar circumstances moved ahead. The great majority of these men are downwardly mobile in *relative* terms, even though in *absolute* terms they often have the same kinds of jobs and the same income as their fathers. Much writing about the cycle of poverty seems to ignore this.

There is another way of looking at the same phenomenon. Suppose we divide the multitudinous factors which help determine a man's position in the occupational hierarchy into two sets, one associated with family background and one completely independent of it. Although Blau and Duncan don't analyze their data in precisely this way, it is clear that family factors account for less than a quarter of the variation in man's eventual occupational success, while non-familial factors account for more than three-quarters.

What aspects of family background are especially important? The father's occupational status is by far the best single predictor of his son's status. The size of the community a son grows up in has some additional effect, with big city boys doing better than those from small towns or farms. Indeed, the community a boy grows up in has more effect on his later success than the community he chooses to live in – a strange finding which seems to imply that geographic inequalities bear more heavily on the young than on adults. Coming from a broken home is a slight disadvantage, but not nearly as great as the disadvantage of having numerous brothers and sisters. If you must have them, however, older ones do less harm than younger. (A boy with younger brothers and sisters is apparently under a certain amount of pressure to drop out of school, get a job, and help support them, thus hurting his later career chances. A boy with older brothers and sisters, on the other hand, may get some help from them, though it is seldom enough to offset the fact that older siblings also compete for parents' financial and emotional support.) Being born in the south is a disadvantage, but largely because the typical southerner comes from a worse educated and lower status home than the typical northerner. Having immigrant parents is *not* a significant disadvantage, or at least it wasn't in the post-World War I years covered by this survey. Indeed, men with immigrant parents did slightly *better* than men whose parents were born in America, perhaps partly because they were concentrated in big cities, rather than like Wasps, in small towns and farms.

These aspects of family background exercise most of their effect indirectly,

by influencing a child's character and competence, rather than having a direct effect on the careers of otherwise identical men. More than half the advantage of having a successful father, for example, can be measured in the amount of "extra" education an advantaged son gets. This means that while most upper-middle-class children get college degrees, the career prospects of those who merely finish high school are only marginally better than those of other high school graduates. Conversely, a child whose father is an unskilled laborer seldom gets as much education as the average boy from middling circumstances, but if he *does* finish high school he has overcome more than half the disadvantage normally associated with his origins. Other family background characteristics, such as father's education, family size and structure, and geographic roots have even less independent influence on career chances. They affect a man's educational attainment, but they do not do much beyond that.

The principal exceptions to almost all the foregoing rules are Negroes. Blau and Duncan demonstrate quite forcefully that the consequences of being black are entirely without parallel in American life. There are, to be sure, many whites whose circumstances are as bad as or worse than those of the typical Negro. But their disadvantages, unlike those of similarly situated Negroes, do not seem to be cumulative. A white boy from a large broken home in the backwoods of Kentucky, for example, has less chance of getting a college degree than does an only child from New York City. But if he *does* get such a degree, its occupational value to him will be as great as it is to the New Yorker. This does not mean his career prospects will be quite equal to the New Yorker's, it means that they will have been *improved* as much by getting a degree as the New Yorker's were. This is *not* true for Negroes. A Negro whose father is, let us say, a carpenter with a high school diploma, has less chance of going to college than a white youth from a similar background. If he does finish college, however, he still has less chance of getting a desirable first job – or he did from 1914 to 1962. And if he got the same first job as a white, his subsequent career prospects were still

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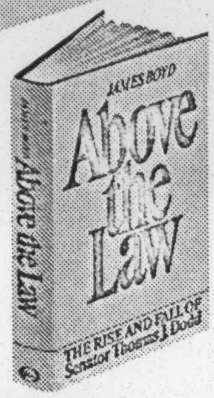

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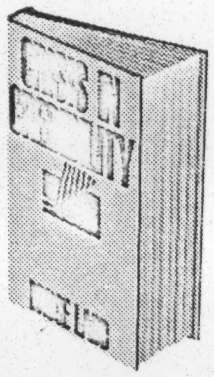

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worse. What this suggests is that the return from any given amount of effort is lower for Negroes than whites. Knowing this, many Negroes *make* less effort. When combined with the initial handicaps of poverty, ignorance, family disorganization, and so forth, this reduction of effort creates a vicious circle. The only other group that finds itself in a somewhat similar situation is women, and they are conspicuously missing from this survey (and from almost all previous studies of social mobility). Blau and Duncan's data make clear that white immigrants, including those from Southern Europe, have not been caught in any such vicious circle, at least since World War I.

When all is said and done, however, family background, and particularly the socio-economic status of a man's father, seems to play a rather modest role in determining life chances. This may seem somewhat surprising, especially to those on the Left. Blau and Duncan point out, however, that the correlation between fathers' and sons' occupational statuses is about the same as their correlations for many other traits: head size, height, weight, IQ score, and educational attainment, to name a few. This recurrent pattern can be generalized into what I will call Jencks' First Law of Human Relationships. The "law" states that *no* characteristic of a parent will *ever* explain more than a quarter of the variation in this same characteristic among the parent's children. To put it another way, fathers cannot usually pass along to their children more than half their advantage or disadvantage over the general population.

If ancestry accounts for only a quarter of the variation in men's life chances, what accounts for the rest? Blau and Duncan examine a number of factors which, while somewhat related to family background, also exercise considerable independent influence. The most important is schooling. A survey of this kind could not collect reliable information on the quality or character of schooling, but it seems reasonable to assume that quality is closely related to quantity. The number of years of school a man finishes accounts for twice as much of the variation in his career prospects as does his father's occupational status. We cannot tell whether this is a causal relationship. It could be, for example, that education merely *looks* important, because clever men stay in school longer than dull ones and also get better jobs.

Blau and Duncan do, however, resolve another question which has received a good deal of attention over the years. Defenders of public schools have long argued that they are a great instrument for equalizing opportunity, since they treat all children more or less alike and sort them out according to individual ability, without regard to ancestry. Critics have denied this claim, arguing that the schools are so dominated by middle-class values and place such undue emphasis on middle-class abilities that poor children have virtually no chance of success. As a result, the critics have argued, the real effect of the public school is to legitimate established privileges and perpetuate the status quo. Blau and Duncan show that there is some truth in both these views, but far more in the first. Fathers' socio-economic positions account for only a sixth of the variation in the number of years of school sons complete. If we take account of other variables which indicate something about the intellectual climate and emphasis on schooling in a home, we can explain another fifth of the variation. This leaves more than sixty percent of the variation in men's school attainment completely unaccounted for by *any* background characteristic. It therefore seems safe to say that the primary effect of universal schooling is to undermine the privileges rather than to perpetuate them. (Schooling does, of course, seek to perpetuate the habits and values on which established privilege is founded, but that is an entirely different matter.) Blau and Duncan also find, however, that despite enormous increases in the absolute number of young people attending high school and college since 1914, the relative advantage of the well-to-do has not diminished at all. If anything, it has increased very slightly.

The data assembled in this book also cast doubt on another commonplace assumption, namely that education plays a larger role in determining a young man's career prospects today than in the past. Blau and Duncan report such a trend, but it is so small and so slow as to be almost inconsequential. Other Census studies of the relationship between education and income have also failed to turn up significant tightening of the links between schooling and careers, at least since 1940 when the first reliable data was collected.

Apart from education, the best predictor of eventual occupational status is the first job. Here again, however, the surprising thing is that the status of a man's first job only accounts for about a quarter of the variation in his eventual status. Those who have worried that it is becoming harder for talented young men to work their way up through the ranks without academic credentials should also take heart, for the relationship between first and later job status seems about as stable as the other relationships investigated.

The authors report on what demographers call assortative mating, with particular emphasis on homogamy (the tendency of like to marry like). They found a relatively modest correlation between the family backgrounds of husbands and wives – less, for ex-

ample, than that between fathers and sons. When they looked at the *educational* attainments of husbands and wives, on the other hand, they found relatively high correlations – higher than between any two of the other variables they studied. They also found that men who "marry below themselves" tend to have worse career prospects than one would otherwise expect, while men who make an especially good match from a socio-economic viewpoint have a better chance for a good job than one would otherwise expect. Whether this is a primarily causal relationship we do not know. Obviously some people do well by marrying the boss' daughter. But equally obviously a woman can tell more about a man than a demographer can, and high status women may latch onto disproportionate numbers of men without rich fathers or college degrees who nonetheless have good career prospects. Conversely, ambitious men may tend to make good matches for the same social and psychological reasons that they later get good jobs, even though the former may be of limited value in pursuing the latter.

After taking all this information into account, half the variation in men's career patterns remains entirely unexplained. This is not unexpected, for a Census survey like this can only gather indirect evidence about men's intelligence, personality, values, and other critical factors. Yet even when social scientists collect additional information of this kind, they can seldom explain more than about half the variation in individual behavior. College admissions officers, for example, often use extremely refined techniques for predicting college grades, yet their predictors can seldom account for more than half the variation in such grades.

This recurrent pattern suggests another rule of thumb, Jencks' Second Law of Human Relationships: social scientists cannot learn more than half of what there is to know about a man, and that they therefore cannot account for more than half the variation in *any* individual characteristic or pattern of behavior. This law has a corollary: clever social scientists conceal their ignorance by studying groups rather than individuals, since it is much safer to make general predictions about groups than specific ones about individuals. Thus while we cannot accurately estimate an individual's occupational status simply by knowing his father's status, we can estimate the *average* status of a large group quite well from the average status of their fathers.

This brief summary hardly does justice to Blau and Duncan's 520-page report. It does suggest a number of general conclusions. First, the American occupational structure is much more open than radical critics usually assume. Second, the reason the radicals are easily misled is that they tend to see the widely (and rightly) publicized problems of black Americans as an extreme manifestation of a general American pattern, whereas these problems are in most respects unique. Third, despite enormous technological and historical changes over the past half century, the amount and nature of social mobility in America has remained remarkably constant. Nor is there any reason to expect significant changes in the foreseeable future. Fourth, the only way to increase the rate of mobility significantly above its present level would be to reduce the influence of family background. This would probably require the elimination of the family itself, perhaps in favor of collective child-rearing along the lines of the Israeli kibbutz. Fifth, since the demise of the family does not seem imminent, reformers probably ought to concentrate on issues other than the mobility rate. They might, for example, turn their attention to reducing the amount of inequality built into the occupational structure, instead of trying to increase vertical movement through that structure. They might, in other words, try to *abolish* failure instead of simply trying to make sure that every group got its fair share.

Notes on Contributors

Christopher Jencks *has a Guggenheim grant this year to study the effects of education on American and British social structure.* Lionel Tiger *is author of* Men in Groups, *to be published by Random House.* Clarence Brown *is professor of Slavic Languages and Literature at Princeton University.* John Ashbery *is a poet and an editor of* Art News.

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DOCUMENT # 1

TASK FORCE COMMITTEE: HEALTH AND HEALTH CARE SERVICES

The purpose of this brief outline is to supply a framework within which the Task Force Committee on Health may work toward suggesting regional priorities and Council programs. The Health Committee may find it necessary to alter the outline or the approach suggested. The problem areas and lists of actors provided is admittedly partial and suggestive, rather than all inclusive.

General Statement of Purpose:

"We tend to forget that health is a broad social concept, encompassing not only illness but complex interrelationships of genetic, psychological, social, environmental, and pathological factors that affect the individual's ability to perform his life tasks effectively."

(Raymond Wheeler, p. 15, New South, Fall, 1971)

TASK FORCE COMMITTEE: HEALTH AND HEALTH CARE SERVICES

Health Problems

1) Malnutrition

2) Infant and Maternal mortality
   a. Prenatal care
   b. Prematurity
   c. Infant care

3) Communicable diseases
   a. Veneral diseases
   b. Childhood diseases
   c. Other

4) Non-Contagious disorders

5) Mental health, including:
   a. Drug abuse
   b. Alcoholism
   c. Due process

6) Environmental conditions:

a. Pollution

(1) Air

(2) Water

(3) Noise

b. Parasites

c. Environmental sanitation

7) Occupational diseases and accidents, including:

a. Black lung

b. Brown lung

8) Old age

TASK FORCE COMMITTEE: HEALTH AND HEALTH CARE SERVICES

Problems in Health Care Delivery

1. Cost factors: medical economics

2. Services to the poor — Urban / Rural

3. Racial, sex, age discrimination — Urban / Rural

4. Location of services — Urban / Rural

5. Quality of care — Urban / Rural

6. Consumer understanding

7. Organization of health services

8. Medical research
   a. Priorities
   b. Funding
   c. Delivery of results

A partial list of actors in the Health Care and Delivery System:

1. Federal government
   a. OEO
   b. USDA
   c. HEW
   d. Public Health
   e. EPA
2. State and local government
   a. Public health agencies
   b. Environmental control agencies
   c. Health educational groups (i.e., state medical schools, para-professional programs, accrediting boards, etc.)
3. Physicians
   a. Establishment oriented - status quo
   b. Activists re reorganization of services and concern for minority and poverty groups.
4. Other interest groups
   a. Community organizations and consumer associations
   b. Hospitals, insurance groups, drug manufacturers and sellers
   c. Professional associations (M. D.'s, nurses, etc.)
5. Media
6. Citizens
   a. Those only moderately concerned with health
   b. Those strongly concerned or immediately affected with health care and delivery systems.

DOCUMENT # 2

This document and the one that follows should be used with several general considerations in mind. In each delivery system and in each problem area the rural/urban, racial relations, poverty, and demographic factors should be kept in mind. Further, consistent with the "Proposed Matrix" (attached) the general actors of mass media, youth, and governmental and political agencies should be included where appropriate as a resource, a part of the statement of the problem, or as a part of the problem.

Delivery Systems Related to Health & Health Care Services

Direct Professional Services

1) U. S. and local Public Health Agencies
2) Private physicians
3) Private and public clinics
4) Comprehensive medical centers
5) Education and training of professionals and Para-professionals.
6) Insurance programs (public and private)

Research

1) Funding, control, and priorities (private & public)
2) Delivery of results.

Environmental Factors

1) Pollution: air, water, land, noise
2) Industrial conditions
3) Residential environmental sanitation
4) Community services; water, sewer, garbage

Pharmaceuticals

1) Research, including testing & quality control
2) Manufacture
3) Distribution
4) Control through patents
5) Licensing authorities

Institutional Care

1) Public & private hospitals
2) Mental institutions
3) Nursing homes

Nutrition

1) Food stamps and commodities
2) School lunch programs and other "speical" projects
3) Possible impact of Nixon FAP
4) Consumer information

PROPOSED MATRIX FOR EACH TASK FORCE AREA

TASK FORCE COMMITTEE ON_____

SPECIFIC PROBLEM AREAS	GENERAL CONSIDERATIONS	CONCERNED AGENTS AND AGENCIES
	BROADER PROBLEM CONTEXTS 1. Urban/rural factors 2. Demographic Factors 3. Poverty factors 4. Racism	
	CLASSES OF ACTORS (May be: Resource, agent for change, part of the problem) 1. Mass media 2. Political and governmental agencies 3. Youth	

DOCUMENT # 3

(Note: Just one of the six (6) delivery systems in Document # 2 is treated here as an example of how each could be treated).

HEALTH AND HEALTH CARE SERVICES
PROBLEMS AND AGENCIES IN DELIVERY OF DIRECT PROFESSIONAL SERVICES

Problems	Agencies (Actors)
1. Need for comprehensive centers especially to serve the poor and rural areas.	1. Training institutions: Medical schools Nursing schools Institutions for Allied Health Service training
2. Cost of direct services	2. Professional associations: M.D.'s(i.e., AMA & speciality groups) Nurses Allied health occupation associates
3. Health manpower problems a) Inadequate supply b) Uneven distribution [rural, urban, income level] c) Cost of direct services d) Training Cost, Focus (Priorities including preventive medicine, comprehensive care, service to rural, poor, etc.) Discrimination	3. Unions 4. Hospital--Administration, Boards, Physicians & Review Committees. 5. Licensing agencies 6. Accrediting agencies 7. Public Health Programs: Local State Federal 8. Foundations 9. Insurance companies 10. Activists: Physicians, Consumer groups
4. Rationalizing work load: Group practice Extended use of allied health services Para-professional training Consumer understanding	11. Public Insurance 12. Private Physicians 13. Comprehensive Centers 14. Federal Role in Funding -

Problems	Agencies (Actors)
5. Quality of service a) Training b) Licensing c) Review of practice	
6. Social perception of professionals in relation to: nutrition, housing, transportation, economic status, education, and environmental factors, as related to individual health.	

[Ref. to Health + Health Care Serv's ...]

A PROPOSED APPROACH FOR DETERMINING SRC PRIORITIES

OUTLINE

A. REPUBLIC OF EQUALS -DEFINITION

1. Systems problems or human relations problems

2. Developing new structural models based on perceptions and experience of those excluded by present structure of social institutions.

3. Imperfectability of human social organization, assuming social growth and change.

4. Implications of "Republic of Equals" frame of reference for SRC historic emphasis on interpersonal racial relations.

B. NATURE OF INFORMATION NEEDED FOR REGIONAL INVENTORY

1. Agencies responsible for providing instutionalized services,

2. Mechanisms through which vested interests maintain status quo.

3. Change efforts by groups and individuals most injuriously affected.

   a) resources available, needed
   b) allies
   c) orientation (syst. human rel. problems)

C. STAFF STRUCTURE TO OBTAIN REGIONAL INVENTORY

1. Kanuga Consensus

   a) reduced hierarchical staff structure
   b) more direct program involvement by all staff members

2. Staff Task Force

   a) on Economic Development
   b) on Health
   c) on Housing
   d) on Education
   e) on Justice
   f) Special Task Force on Community Organization--compiling committee

      1) Committee-of-the whole

3. Staff self-selects and appointed to Task Forces

D. TASK FORCE COMMITTEES

1. Each task force committee will review evaluative literature re their respective institution.

2. Each committee will develop a sample of agencies across the region and conduct in-depth interviews with respective agency officials.

3. The interviews will include that agency's official assessment of the nature and distribution of the appropriate social problem, resources available to the agency to resolve the problem, structure of the agency, constituency of the agency, role of the government re the problem, role of race re problem, urban and rural scope of the problem innovative and dangerous trends re the problem.

4. Each committee will compile cross-referenced list of agencies and individuals.

5. Task Force Committee on Community Organizations

   a) Develop a sample of CO's. Size of sample conditioned only by time.

   b) Discover what groups and individuals most injuriously affected by distribution of resource problems are doing, are attempting to do, would like to do better to resolve the distributuon of resource problems.

   c) Discover what groups and individuals professing solidarity are doing, are attempting to do, would like to do to help resolve the distribution of resource problems.

   d. Conduct in-depth interviews as in D. c. above.

   e) Task Force will compile cross-referenced list of organizations and individuals.

E. Time Table

1. Reports of both Task Forces due on November 1, 1972.

2. Priorities decided between November 1 and December 1, 1972.

3. Priorities reported and staff structure for program fixed by December 1, 1972.

F. Budget for Regional Inventory.

TASK FORCE COMMITTEE: HEALTH AND HEALTH CARE SERVICES

The purpose of this brief outline is to supply a framework within which the Task Force Committee on Health may work and to suggest areas of concern to the Council. Our framework is not of iron; it is flexible and the Health Committee may find it necessary to alter somewhat the outline or the approach suggested. The problem areas and lists of actors provided is admittedly partial and suggestive, rather than all inclusive.

General Statement of Purpose:

"We tend to forget that health is a broad social concept, encompassing not only illness but complex interrelationships of genetic, psychological, social, environmental, and pathological factors that affect the individual's ability to perform his life tasks effectively."

(Raymond Wheeler, p. 15, New South, Fall, 1971)

A partial list of actors in the Health Care and Delivery System:

1. Federal government
   a. OEO
   b. USDA
   c. HEW
   d. Public health

2. State and local government
   a. public health agencies
   b. environmental control agencies
   c. health educational groups (i.e., state medical schools, para-professional programs, accredited boards, etc.)

3. Physicians
   a. Wheeler-Coles types
   b. AMA types

4. Other interest groups
   a. Community organizations and consumer associations
   b. Hospitals, insurance groups, drug manufacturers and sellers
   c. Professional associations (M.D.'s, nurses, etc.)

5. Media

6. Citizens
   a. Those only moderately concerned with health
   b. Those strongly concerned or immediately affected with health care and delivery systems.

TASK FORCE COMMITTEE: HEALTH AND HEALTH CARE SERVICES

Health Problems

1) Malnutrition

2) Infant and Maternal mortality

   a. Prenatal care

   b. Prematurity

   c. Infant care

3) Communicable diseases

   a. veneral diseases

   b. childhood diseases

   c. other

4) Mental health, including:

   a. Drug abuse

   b. Alcoholism

   c. Due process

5) Environmental conditions:

a. Pollution

1) Air

2) Water

3) Noise

b. Parasites

c. Environmental sanitation

6) Occupational diseases and accidents, including:

a. Black lung

b. Brown lung

7) Old age

TASK FORCE COMMITTEE: HEALTH AND HEALTH CARE SERVICES

Problems in Health Care Delivery

1. Cost factors: medical economics

2. Services to the poor — Urban / Rural

3. Racial, sex, age discrimination — Urban / Rural

4. Location of services — Urban / Rural

5. Quality of care — Urban / Rural

6. Consumer understanding

7. Organization of health services

8. Medical research
   a. Priorities
   b. funding
   c. delivery of results

TASK FORCE COMMITTEE: HEALTH AND HEALTH CARE SERVICES

Health care delivery

A. Public Health: State, Local, Federal — Public Health Service / OEO

B. Food Programs (USDA)

1. School lunch

2. Family feeding: Stamps, commodities

C. Hospitals (including out-patient care) — Urban / Rural

1. Nursing homes

2. Mental health institutions

D. Health Insurance

1. Public

a) medicare

b) medicaide

c) workmen's compensation

2. Private

a) Group

b) Individual

E. Private medical practice

1. Group

a) cooperative

b) proprietary

F. Pharmaceuticals: Research, manufacture, delivery

G. Health Manpower

1. Medical personnel training/Education

a) Professional

b) para-professional

2. Unionization

H. Pollution control

I. Professional Medical Associations:

(Research, publications, standards)

Doctors, Nurses, Allied health services

PROPOSED MATRIX FOR EACH TASK FORCE AREA

TASK FORCE COMMITTEE ON_____

SPECIFIC PROGRAM AREAS	GENERAL CONSIDERATIONS	CONCERNED AGENTS AND AGENCIES
	BROADER PROBLEM CONTEXTS 1. Urban/rural Factors 2. Demographic Factors 3. Poverty Factors 4. Racism CLASSES OF ACTORS (May be: Resource, agent for change, part of the problem) 1. Mass Media 2. Political and governmental agencies 3. Youth	

File
Health TF

SOUTHERN REGIONAL COUNCIL, INC.

M E M O R A N D U M

TO: GE, HB, GH, EV, AC, LW

DATE: February 12, 1972

FROM: Bob Anderson

COPIES: 5

SUBJECT:

Philip Sorensen of the Economics Department at Florida State (not to be confused with the Philip Sorensen on the Citizens Board of Inquiry into Hunger) called me a few days back about Hunger U. S. A. Revisited which he had just read. As we talked, it was obvious that he and his colleague had some of the same interests as SRC's Task Forces. He was most interested in talking with some of us and finally agreed the Monday, February 19, would be an acceptable date for them to come up. Attached is an outline of what they are proposing. I hope that all of you can at least get to talk with them, if not in a meeting in the conference room, at least individually. And if that is impossible I hope you can give me your comments on the attached.

Miss. Blacks Face Loss of Health Clinic

MOUND BAYOU, Miss. (NYT) — A political dispute over $5.5 million is threatening the existence of a widely acclaimed government health program for the poor in this all-black delta town of 2,200 persons.

A hospital and an outpatient clinic that treat a few hundred poor people every day are running out of vital medicines because the institutions are out of money.

Their 468 employees have worked without pay for several weeks and some have joined the patients on the welfare rolls.

The black residents of northern Bolivar County, 90 per cent of whom are medically indigent by government standards, are increasingly fearful that a program that has brought them hope and better health might soon end.

Dr. Thomas Gualtieri, the 28-year-old white medical director of the Delta Community Hospital and Health Center, said: "Unless we get some help in the next week or two, we'll have to cut medical services drastically. People will not get medicine. Some will get sick, some will die. We're not dealing with staff members losing their jobs or the economic impact on the community. We are in fact talking about deaths."

The dispute began June 1 when Gov. William L. Waller vetoed a $5.5 million grant from the federal Office of Economic Opportunity to finance for another year a program of health services that reaches from here into four Mississippi delta counties.

The federal agency for five years has supported two institutions that provide those services. The two merged this spring at the agency's insistence.

The new single institution is the Delta Community Hospital and Health Center, Inc. It operates a 51-bed hospital that was known as the Mound Bayou Community Hospital and an outpatient facility that was established a few years ago by Tufts University and was known as the Tufts Delta Health Center.

The merged institutions is governed by a board most of whose members are delta blacks. Some leaders on the board and in the administration have been active in civil rights and other antipoverty programs and have incurred the hostility of many Mississippi whites.

Waller, who has been publicized in some places as a racial moderate, said he had vetoed the grant because the Mound Bayou facility had failed to meet certain state requirements in renovating its buildings, because the two merged institutions duplicated some services and because he was concerned over the legal status of the new board.

It has developed since then that those reasons might have been less important than a fourth unstated one. Waller is trying to organize a new governing board to run the Mound Bayou facilities, one that would operate under state government control and that presumably would get rid of some of the present black leaders.

The Office of Economic Opportunity has the power to override the governor's veto. It has not done so, although federal officials and important Mississippi Republicans hint that it might soon.

Dr. E. Leon Cooper, director of health affairs for OEO, has asked Waller to reconsider his veto. He said in a telephone interview Friday that direct funding of the program through the governor's office, as state officials have indicated they would prefer, would not be acceptable to the OEO without assurances that the people now running the program would be involved. He said his agency would decide during the next few days whether to override Waller.

Owen H. Brooks of Greenville, chairman of the board of the newly merged facility, and Richard Polk, its project director, have charged that Waller's veto was still standing because the Nixon administration was courting the Democratic governor and trying to persuade him to become a Republican to help insure Nixon's carrying Mississippi in the November election. Waller has hinted that he might support Nixon.

Republican officials and spokesmen for the governor deny the charge. One prominent Mississippi Republican who asked not to be identified said of Waller and the election, "Everybody knows we don't need him." Nixon is expected to carry Mississippi easily unless Gov. George C. Wallace of Alabama enters the race on a third party ticket.

Talks Prove Costly

BELGRADE (UPI)—A Yugoslav judge Tuesday sentenced a Belgrade law professor accused of making speeches advocating Serbian nationalism to two years in prison. The judge said remarks made by Mihajlo Djuric condemning alleged discrimination against Serbs were "criminal acts of hostile propaganda."

UAW WASHINGTON REPORT
Vol. 12 No. 31, 32 July 31 and August 7, 1972
Page 8

haste.

ANOTHER DENNENBERG SPECIAL—There are 2 million unnecessary surgical operations and 24,000 deaths as a result—so says Pennsylvania's Insurance Commissioner Herbert Dennenberg in a new booklet called "Shopper Guide to Surgery." He cites 15 studies and books for his facts and suggests ways in which you can avoid being taken by the fastbuck surgeon. Go to a general practioner first, make sure doctor is properly certified, make sure surgeon belongs to college of surgeons, get two or three opinions from others, make sure surgery is performed in accredited hospital, don't push surgeon to perform surgery, make sure doctor explains alternatives to surgery, discuss fee frankly with doctor, check out surgeon's reputation, make sure surgeon works with general practitioner, consider a surgeon who is part of a group practice, select a surgeon who is not too busy, be extra careful about hysterectomies, hemorrhoidectomies, and tonsillectomies, and make the ultimate decision yourself.

Health TFC

Do Hospitals Keep Patients Who Owe? Writer's Charge Denied in New Orleans

8/8/72

By MIKE THARP
Staff Reporter of THE WALL STREET JOURNAL

NEW ORLEANS—Does tender loving care end at the cashier's window?

That's the issue in a lively local hospital rhubarb that is provoking angry accusations, heated denials and at least one formal complaint of illegal detention.

The dispute centers on the question of how much muscle the nation's financially pressed hospitals can legally flex in extracting payment before the patient dons his street clothes and leaves for a waiting auto.

Not as much as they do, contends David Chandler, a free-lance writer and unsuccessful 1971 candidate for governor, who has accused Touro Infirmary, a private hospital, of "extortion and a holding for ransom."

Mr. Chandler says his problem arose in February when his jubilation over the arrival of a 9½-pound daughter to his French-born wife, Patricia, was soured by four Touro employes. He says they told him that the $235 bill would have to be paid in full before his wife and daughter, Beatrice Aube, could be released.

"A Little Tantrum"

"I threw a little tantrum," the former Life reporter says, "and arbitrarily removed my wife and child from the premises after our personal physician had advised it was medically safe to do so." He says he then returned to the hosptial's cashier and arranged to pay the $235 within 30 days.

While the hospital didn't physically restrain him from removing his dependents, the alleged threat to do so violated his rights, Mr. Chandler charges in a complaint to the U.S. Attorney's office here.

The Touro administrator is Dr. Murray Diamond, an ex-Navy rear admiral and former assistant surgeon general in the Department of Health, Education and Welfare. He denies Mr. Chandler's version.

"The incident described by Mr. Chandler did not occur," he says. "If you ask me whether the rooms here are 100% roach-free, I can't answer for sure. But I can say for sure about this incident—it just didn't happen." He adds that at no time has Mr. Chandler contacted him about the matter.

Gerald Gallinghouse, U.S. Attorney here, says Mr. Chandler's allegations and subsequent publicity spawned numerous other complaints to his office charging similar practices by area hospitals.

Assurance Given

During the six-month investigation, Mr. Gallinghouse says, hospitals in the area have assured him that they aren't detaining people against their will. "But we recently received another complaint," he adds.

Observes a New Orleans pediatrician, "I'm sure hospitals will say it's not their policy, but I know in the past many of them have said you have to stay in until the bill is paid."

The hospitals do say that isn't their policy. Indeed, local hospital administrators add that detaining patients is not only illegal but also illogical. The administrators cite the demand for admission. And one asks, "Why should I keep somebody in the hospital? If you can't pay your bill now, why would we want to keep you and add more expense to what you can't pay?"

The American Hospital Association, a national service organization for health-care institutions, says there's no evidence that complaints of patient detention are widespread.

Another New Orleans physician tells, however, of a girl who was admitted to a local hospital while her father, a merchant seaman, was away at sea. "He belonged to a union with an excellent health-insurance plan," the doctor says, "and her mother had a letter from the union. But when it came time to release the child, someone from the hospital said no."

He adds, "I told them that if the child wasn't released, I'd refer the mother to an attorney and the hospital could then collect its bill from a healthy legal settlement awarded to her." The girl was released.

A Statement of Policy

In another case, Roger Stilling rushed his wife to Mother's Hospital in Baton Rouge for an emergency Caesarean operation. He says he was told he would have to sign "a statement of the hospital's credit policy" before his wife could undergo surgery.

He signed and 15 days later, when his new daughter was ready to come home, he asked for an explanation of the hospital's credit policy. The response: No credit. "They told me that I'd have to pay the bill in full and that they expected a check," Mr. Stilling recalls. "We presumed the baby wouldn't be released to us until we did."

He wrote a $450 check on the spot and borrowed that amount the next day from the credit union at Louisiana State University where he is an assistant professor of English.

The assistant administrator at Mother's Hospital verifies that the hospital doesn't normally extend credit. Patients must pay by cash, check, Master Charge or Bank-Americard.

Nearly all hospitals require evidence from patients as to their ability to pay the bill. And most are loath to provide extended credit arrangements. "We're not in the banking business," says one administrator.

"Prudent Business Practice"

Consequently, cash deposits or guarantees of insurance coverage are standard at most hospital business offices. "This is nothing but a prudent business practice," says a spokesman for the American Hospital Association. "By no means is it meant as a financial barrier."

Hospitals say they have good reason to press for collection of bills. Touro's 1971 financial report, for instance, shows $2.1 million in accounts receivable—cumulative bad debts outstanding—against a total income base of $19 million for the year. Most hospitals turn over unpaid bills to collection agencies after 90 days, according to one hospital source.

To keep bad debts at a minimum, some hospitals set up a variety of credit arrangements, but even some of these draw fire from patients or relatives of patients.

Critics score hospitals for charging interest on extended payments, for alleged failure to provide itemized billing statements unless requested, and for pre-admittance deposits ranging from $150 to $700 in the New Orleans area.

8-12-72

Welfare Report/Nixon, Congress decline to check soaring social services costs

by John K. Iglehart

1300
8/12/72
NATIONAL JOURNAL
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Congress and President Nixon have made independent policy decisions not to bring the HEW Department's open-ended social services program under fiscal control until after the November elections.

The judgments were rendered on separate policy issues, but their combined impact will allow states to continue to tap the program, which, if left unchecked, could triple in size to $4.7 billion by the end of fiscal 1973.

Congress, for its part, rejected the imposition of a ceiling on the social service program's open-ended appropriation. The issue was considered July 25 in a House-Senate conference on the HEW appropriations bill (HR 15417).

The Senate Appropriations Committee had imposed a ceiling of $2.5 billion on the program, and the Senate rejected an amendment to remove it by a 39-52 vote on the floor. But House conferees, led by Appropriations Committee chairman George H. Mahon, D-Tex., objected strenuously and prevailed in conference.

Congressional rejection of the ceiling is a tribute to the effectiveness of Governors, state welfare directors and county officials who stormed Capitol Hill to lobby against the ceiling.

These forces besieged the conferees, urging rejection of the ceiling and arguing that the action would be wholly inequitable to states that were late-bloomers in the race for the federal social service dollar.

The only potential counterforce was the Administration, which has sought for three years to clamp a lid on the open-ended appropriation. But the Administration chose to lie low.

"The (HEW) Secretary was silent; the White House was silent," said Harley M. Dirks, a professional staff member of the Senate Appropriations Subcommittee on Labor-HEW. "Where were they when we needed them? And now the President wants to impose a $250-billion ceiling."

Presidential decision: The Administration's failure to lobby for a ceiling resulted from a view that Mr. Nixon expressed in late June on the shape of new regulations HEW was developing for its social services program.

The President directed HEW to prepare new regulations that would require states to develop better methods of accounting for their social service expenditures, but would not significantly obstruct the states' access to the program's open-ended largesse.

That Mr. Nixon made a personal judgment on a regulation for an HEW program reflects the political importance the White House has attached to social services.

The President arrived at his decision after HEW Secretary Elliot L. Richardson sent him a memorandum June 23 which outlined four possible options that the Administration could pursue in seeking better control of the program. The President selected by far the most expensive option, one that would delight Governors whose states were in financial distress, but also would result in a costly budget overrun.

In explaining this option, Richardson told the President:

"The obvious advantage to this approach is that we would not prevent states from continuing to exploit this source of fiscal relief. We would thus avoid a major political controversy.

"The equally obvious disadvantage is the price tag that we would have to pay for this approach: At least $2.7 billion above our FY 1973 budget and a program level of $6 billion or perhaps more in FY 1974.

"An additional disadvantage is that we cannot describe or account programmatically for these enormous sums. In fact, we may be helping, through our refinancing, to perpetuate some poor programs."

By selecting this approach, Mr. Nixon has avoided, for the time being, a major confrontation with the Governors, who have come to view the social services program as important a source of new federal funds as revenue sharing.

Program: HEW's social services program operates under the legal authority of the Social Security Act (49 Stat 620) and finances a wide range of services on a ratio of 75-per cent federal funds to 25-per cent state.

The services are rendered to former, current and potential welfare recipients and include child care, protective services for children and aged individuals in danger of abuse or neglect, mental health services, and alcoholic and drug abuse prevention.

HEW estimates that in fiscal 1972, 664,600 adults and 12 million children will receive social services financed principally by the department.

Although the states find somewhat attractive the prospect of increasing services to the welfare population, their chief interest in the program is that it is a major source of fiscal relief.

California and Illinois were the first to recognize the program's potential for easing their financial problems. Recently, most of the other states have awakened to the program's seemingly limitless money supply.

Now, a great race is under way by late-starting states to make the necessary changes in their social service programs that will enable them to share the wealth.

Two extreme examples of states that are seeking new service dollars are Maryland and Mississippi. In fiscal 1973, Mississippi estimates that the federal share of its service expenditures will be $14.2 million. The state is seeking changes in its social service plan that would raise the federal commitment to $463.6 million in fiscal 1974.

Maryland estimates that the federal share of its fiscal 1973 social service expenditures will total $21.8 million. Maryland has estimated the federal share in fiscal 1974 at $417.7 million, if HEW approves its proposed state-plan amendments.

Regulations and timing

The debate over the content of any new social service regulations raged so heatedly within the executive branch and became so important in terms of federal dollars that the Office of Management and Budget turned to the President for a decision.

Now that Mr. Nixon has decided upon the course of action, the question of when to promulgate new service regulations has become almost as big an issue as the substance.

Richardson sent to the President a nine-page memorandum listing the four possible options the Administration could follow, but did not offer a recommendation. The Secretary warned: "Unless we take decisive administrative action, the budget for social services threatens to exceed $4 billion in fiscal 1973; $2.7 billion over your budget request."

The Secretary characterized the social services phenomenon as "a virtual open-ended raid on the federal treasury," but added: "To control these costs is politically hazardous. Several

Social Services

This is the second *National Journal* report on the HEW Department's social services program. The first report was published June 17 in Vol. 4, No. 25, p. 1007.

states, such as New York, Illinois, New Jersey, Texas and Pennsylvania, have refinanced state programs to their advantage. They can be expected to resist any effort to curtail federal expenditures."

Alternatives: Richardson outlined four possible courses of action, three of which would have significantly curtailed social service program expenditures; a fourth called for states to improve their accounting procedures. Mr. Nixon selected this option.

Preferred option—Under this alternative, HEW would issue regulations requiring states to develop a planning and accounting system that would provide detail on how they use the federal social service dollars.

This approach was developed by HEW's Social and Rehabilitation Service, the agency under which social services is administered. As developed by social service program personnel, the proposal has been viewed generally as one that would prod states into developing better management structures to administer services, but not result in the loss of many federal dollars.

Other options—Richardson also raised the prospect of issuing regulations that would include a so-called "expansion-of-effort" restriction. Under such a requirement, federal social service funds would be available for matching only in relation to higher state expenditures. Such a structure would significantly curtail the program's uncharted growth rate.

"This approach still leads to an unacceptable level of federal expenditures for future years," Richardson said. He estimated that the program would grow to $2.8 billion in fiscal 1973 and $3.1 billion in fiscal 1974.

The toughest option Richardson put before the President was a proposed regulation that included an expansion-of-effort rule plus a curtailment in scope of services already financed partly through federal funds.

Under this option, which is the route favored by HEW's budget office, federal funding would be withdrawn for all room-and-board costs in public institutions, all health, mental health and medical services.

Richardson said: "This approach will have significant effect on almost all states, and states such as New York, Illinois, Massachusetts and Texas, which have recently revised their programs and thereby eased their fiscal problems, will be particularly agitated."

The fourth option presented by Richardson called for a phased implementation of the Administration's strategy for controlling the services program. Although it was rejected by the President, top HEW officials said they believe that it is the approach that the Administration ultimately will take.

In short, the strategy goes like this: do nothing that will cause a furor among the states before the November election; then issue regulations that will sharply cut the growth rate of social services shortly after the election.

"This combination," Richardson said, "seeks a balance between budget savings and political reaction. However, it will still leave severe budgetary problems and will result in considerable political repercussions."

John D. Twiname

Timing: Although the Administration has decided what shape its new service regulations will take in the short term, the question of when they will be promulgated is one that the Office of Management and Budget has not finally resolved.

C. William Fischer, chief of OMB's human resources division, laid out the pro and con arguments in a memorandum to OMB Director Caspar W. Weinberger in late July.

Fischer made no recommendation to Weinberger on when the regulations should be issued, but he noted that HEW believes that any delay would be viewed as hypocritical by the states.

John D. Twiname, administrator of HEW's Social and Rehabilitation Service, feels most deeply among top department officials about the need to issue new service regulations now that would call for states to adopt better management procedures.

Twiname expressed his view to Fischer in a memo dated July 14. He said:

"The more I contemplate this issue, the more it appears to me that the Administration is taking a far greater risk to delay issuance of the regulations than otherwise . . . I think the most serious element . . . is its delay of the effort to establish controls of some sort in a program that appears to be running away with the federal dollar."

Congress

The Administration's indecision about when it should publish proposed social service regulations in the *Federal Register* is bound up in the OMB's hopes that Congress will take action to control the program.

Reflecting the decision Mr. Nixon made in declining to curb the program's growth before November, the OMB is hesitant to publish the regulations for fear of the political repercussions.

The OMB is hopeful that Congress will move up one of the available avenues to halt the open-ended assault on the social services account. There are several possibilities for action, but none looks very promising.

Although the Senate Finance Committee and the House Ways and Means Committee have acted to impose a ceiling on the program, the attitude of most Members is best expressed by the action of the House-Senate conference on the Labor-HEW appropriations bill. The conference removed a ceiling from the program.

Conference: The tale of the conference is best told by looking at the Members who were in the best position to make the ceiling stick and chose otherwise.

House Appropriations Committee chairman Mahon, an acknowledged conservative with the federal dollar, went into the conference as an agressive advocate of removing the ceiling.

Although the conference had 77 differences before it to resolve, Mahon appeared to argue his position on behalf of only one: removal of the $2.5-billion social services ceiling imposed by the Senate.

Mahon was acting out of concern for Texas, which has only lately gotten on board with other states to tap the social services open-ended account in a significant way. A ceiling imposed now would hurt Texas and other states that are seeking new service dollars from HEW.

Texas Gov. Preston Smith, D, impressed on Mahon and Rep. Bob Casey, D-Tex., another House conferee, the absolute necessity of removing the Senate-imposed ceiling.

Smith did not limit his lobbying activities to Texas Democrats. Edwin F. Powers, an assistant to Smith, said: "Sen. (John G.) Tower (R-Tex.) has helped us clear up roadblocks in OMB. His influence has been helpful within the Administration."

Tower did not participate in the conference committee, but Powers said he had eased Texas' access to the first installment of new service dollars to the state.

Assuming other installments follow, Powers said, the federal share to finance services in Texas will increase from $15.2 million in fiscal 1972 to $178.6 million in fiscal 1973.

Flood's influence—Another member of the conference as important as Mahon in removing the services ceiling was Rep. Daniel J. Flood, D-Pa., chairman of the House Appropriations Subcommittee on Labor-HEW.

Flood has long been a champion of an open-ended services program and Pennsylvania has fared as well as most states in tapping the account. Flood argued in conference that it was the responsibility of the committees which authorize social security legislation—Senate Finance and House Ways and Means—to make any substantive changes in the services program.

One conference participant said privately: "Flood was so strong in favor of removing the ceiling that the other subcommittee members were virtually silent on the question, even those who favored a ceiling."

Senate effort—The Senate conferees went into the session July 25 holding the upper hand, at least on paper. The Senate, in rejecting a floor amendment, 39-52, to remove the ceiling, had provided its conferees with a strong bargaining point.

Sen. Norris Cotton of New Hampshire, the ranking Republican on the Labor-HEW appropriations subcommittee, used the argument in conference and also emphasized that he was not wedded to a ceiling of $2.5 billion; he just wanted a reasonable ceiling.

The conference zipped through all but one of the 77 items before it in one day and, in the view of several participants, the Senate conferees receded from their position on a ceiling because their House counterparts were so reasonable on most of the other issues.

Six-Fold Cost Increase in Three Years

The HEW Department's burgeoning social services program will have grown six-fold between fiscal 1971 and fiscal 1973, according to the latest state estimates. States now estimate that the federal share of their service expenditures in fiscal 1973 will total $4.7 billion. Listed below for each state are the federal share of social service costs in 1971, the May 1972 estimates of fiscal 1973 federal expenditures for social services as submitted to HEW by the states, and July 1972 estimates as provided by states at a meeting of Governors' representatives and state social service administrators in Washington on July 17. The figures are in millions and are rounded.

State	Federal share of social service costs in 1971	May 1972 estimates of federal share of social service costs in 1973	July 1972 estimates of federal share of social service costs in 1973
Alabama	$ 6.8	$ 41.2	$ 144.5
Alaska	1.8	18.9	19.7
Arizona	2.8	6.3	6.7
Arkansas	2.0	4.7	18.4
California	210.8	273.0	273.0
Colorado	11.7	22.7	29.8
Connecticut	7.6	15.8	18.8
Delaware	2.8	35.0	46.7
District of Columbia	7.0	10.1	32.0
Florida	12.5	112.6	112.6
Georgia	12.1	58.0	222.6
Hawaii	.5	2.1	2.4
Idaho	1.2	2.3	3.9
Illinois	28.3	147.5	172.5
Indiana	2.5	6.7	15.0
Iowa	6.8	12.8	13.5
Kansas	5.9	7.4	8.4
Kentucky	6.4	19.4	30.0
Louisiana	9.3	16.3	34.9
Maine	3.6	7.2	20.0
Maryland	15.0	21.8	417.7
Massachusetts	8.4	19.7	60.0
Michigan	17.6	85.8	85.9
Minnesota	15.4	24.1	96.5
Mississippi	1.1	14.2	463.6
Missouri	11.9	16.3	16.3
Montana	2.1	3.3	1.0
Nebraska	5.8	12.6	12.6
Nevada	1.0	2.0	2.0
New Hampshire	2.0	3.0	6.0
New Jersey	20.0	38.3	58.3
New Mexico	3.8	6.4	47.0
New York	88.2	618.4	850.0
North Carolina	11.6	47.1	50.4
North Dakota	2.5	4.0	5.0
Ohio	11.1	22.5	60.0
Oklahoma	7.5	11.6	54.0
Oregon	25.6	24.9	30.7
Pennsylvania	36.3	100.6	265.0
Rhode Island	4.4	6.2	15.8
South Carolina	3.6	14.1	214.1
South Dakota	2.0	2.9	2.9
Tennessee	9.9	43.5	230.2
Texas	13.0	42.4	178.6
Utah	3.1	5.2	7.2
Vermont	1.6	2.6	2.6
Virginia	10.2	19.6	32.0
Washington	31.1	57.9	74.1
West Virginia	7.9	7.9	15.4
Wisconsin	18.0	58.5	113.5
Wyoming	.7	.6	.6
Total	**$745.9**	**$2,158.3**	**$4,692.5**

"A conciliatory climate prevailed in the conference," said one participant. "The House members were a pretty reasonable group on every item except social services. That had an effect on the attitude of the Senators."

The Senators accepted as a compromise solution to the issue language in the conference report (HRep 92-1280) which urges the Administration and Congress to work "with the states to devise effective means of exerting fiscal control over social services programs."

The conference report also directed HEW "to submit to both the House and Senate Appropriations Committees no later than the commencement of the second quarter of 1973 a comprehensive plan for a system of fiscal restraint and programmatic accountability in social services programs.

"Such a program is expected to include a system of allotments of social services funds among states with proper consideration to population, per capita income, welfare consolidation, and past experience in social services program delivery. It is anticipated that such a plan could become effective no later than Jan. 1, 1973."

Authorizing committees: With the imposition of an appropriations ceiling an impossibility, the Senate Finance and House Ways and Means committees have acted to control services through other legislation.

During its consideration of HR 1, the Administration's social security-welfare reform bill, the Senate Finance Committee approved on June 11 a ceiling of $1 billion on the services program and scaled down the federal matching requirement.

Last year, the House approved a ceiling of $800 million in HR 1, with the exception of child-care and family-planning services, which would continue to be funded on an open-ended basis. The Finance Committee treated these two services in a similar fashion.

Although both committees have approved ceilings, the bill which includes the stricture is in deep trouble because of its welfare reform provision.

With the chance of HR 1's passage growing dimmer every day, these committees will have to find another legislative vehicle to which to attach a services ceiling.

Revenue sharing: Sen. Russell B. Long, D-La., chairman of the Finance Committee, has expressed an interest in tying firmer federal control over services to the House-passed revenue-sharing bill (HR 14370) that his panel is considering. *(For a report on the revenue-sharing bill, see Vol. 4, No. 32, p. 1245.)*

George H. Mahon

Norris Cotton

Long opened a hearing July 20 that took testimony from a dozen Governors on the merits of revenue sharing by criticizing the spiraling cost of social services. "We cannot afford to continue the present social services system if we are going to provide $5.3 billion a year, and more, in revenue-sharing funds under the bill before us today," he said.

The committee approved Aug. 9, the day it completed action on its revenue-sharing bill, a provision that would sharply retrench the federal financial commitment to social services next year.

Under the provision, HEW could honor current services contracts for six months. But, after that, the department would finance only child-care and family-planning services on an open-ended basis.

HEW would distribute an additional $1 billion on a formula based on population. Large states that have done well in the services program would suffer under the provision and will presumably object to it.

Sen. Wallace F. Bennett, R-Utah, estimated that the provision "would save at least $3 billion" of the $4.7 billion the states estimate they will now spend for services in fiscal 1973.

Bennett said the provision will have "all-out Administration support." However, the President expressed Aug. 3 in a letter to Richardson his desire to keep the revenue-sharing bill free of "selected elements of HR 1."

The President said he would "strongly oppose" any move to amend HR 14370 "because it could doom the possibility of real welfare reform in this Congress and could seriously jeopardize the revenue-sharing bill."

Outlook

The prospect that Congress will impose a ceiling on HEW's social services program this session is not bright; states that are racing to fatten the federal commitment to their services program seemingly have a green light.

But it is unrealistic to expect that the Administration will adhere after November to the generous attitude it is now taking to the growth of the program.

Such a posture simply does not square with the President's announced intent to hold federal expenditures in fiscal 1973 close to $250 billion.

Mr. Nixon warned the Congress in a message July 26 that "no matter what the political pressures, no matter how frequently I may be told that in an election year a President cannot veto a spending measure," he will consider such action in bills that reach his desk that are too expensive.

The first real test of Mr. Nixon's intent, is likely to be the Labor-HEW appropriations bill which should clear Congress before it adjourns Aug. 18 for the Republican National Convention. As approved by the House-Senate Labor-HEW appropriations conference, the bill exceeds the President's fiscal 1973 request by $1.8 billion.

A veto, though, will have no effect on the social services program because of its open-ended appropriation. Therefore, unless the White House sharply changes its course, it will likely be early next year before any sharp curb is placed by the executive branch to slow the unconstrained growth of the social services program.

8-14-72

Use of Lead-Based Printing Inks May Pose A Health Problem, Some Researchers Say

8/14/72

By [redacted] GRAHAM
Staff Reporter of THE WALL STREET JOURNAL

NEWARK, N.J. — The widespread use of lead-based printing inks may contribute to environmental lead contamination and could pose a serious health problem.

That's the warning from researchers at the College of Medicine and Dentistry of New Jersey, New Jersey Medical School, who said that during the past month they found high lead concentrations in newspapers and large-circulation magazines they analyzed. Printing ink makers dispute the findings.

Spot tests showed that black and white sections of newspapers had lead concentrations ranging from five to 20 parts per million, while the colored pages of most of the national magazines disclosed up to 800 ppm lead. Red, yellow and orange inks were found to contain the largest amounts of lead.

According to Dr. Morris M. Joselow, director of the Laboratory of Environmental Toxicology of the Department of Preventive Medicine and Community Health at the school, children who habitually chew on newspapers or magazines could easily take in lead in excess of "safe" or acceptable limits.

Easily Obtainable From Spitballs

The Bureau of Community Environmental Management of the Department of Health, Education and Welfare has stated that the maximum acceptable lead intake for children is 300 micrograms per day. As there is an unavoidable daily intake of up to 200 micrograms per day of lead from sources such as food and air, Dr. Joselow said, "It would only take the ingestion of another 100 micrograms of lead, easily obtainable from only a few spitballs, to exceed an intake of 300 micrograms." The result, he said, would be elevated blood lead levels that could lead to lead poisoning. Chronic lead poisoning causes mental retardation.

The three largest printing ink manufacturers—Inmont Corp., Sun Chemical Corp. and Sinclair & Valentine Inc., a division of Wheelabrator-Frye Inc.—denied that lead pigments used in certain inks are a health hazard. They said most colored inks and all black inks are based on nonlead pigments.

A spokesman for Inmont said the industry uses certain lead-bearing pigments in production of printing inks. "This has been true for more than 50 years," he said. "We have no knowledge that these pigments have ever created health problems."

Jerome F. Cole, director of environmental health for the New York-based Lead Industries Association, noted that the 800 ppm levels found on some magazines were well below the FDA's current acceptable lead level for internal paint. "We're dealing here with low concentrations of lead," he said. "Given the other sources of lead in air and water, (ink) is a minor contributor at best."

Lead-Free Printing Ink

Peter R. Lantos, vice president for research and development for Sun Chemical, New York, said, "We have an active program under way to reformulate our printing ink products to make them lead-free. There are very few instances where this can't be done." Noting that the lethal dose of lead is 100 milligrams per kilogram of body weight, he said a 50-pound child would have to eat 80 pages of paper printed solidly in yellow ink to receive a lethal dose of lead.

While conceding that substances used in ink to hasten drying contain soluble lead compounds that might be absorbed by the body, Mr. Lantos asserted that lead pigments in inks are inert, insoluble compounds that can't be absorbed.

In response, Dr. Joselow said, "Inks contain lead salts, some of which are easily dissolved and passed into the system. Inks contain about the same form of lead as paint. If a problem exists in paint, it also exists in ink."

The scientist also warned that when burned, lead-laden newspapers and magazines could release lead into the atmosphere.

Dr. Joselow urged that printing inks containing lead be limited to uses where accessibility to children isn't possible. He suggested that the federal Hazardous Substances Act might be applied to lead-based inks "to eliminate this unnecessary hazard to public health."

AUG 14 1972

Delivery Systems Related to Health & Health Care Services

Direct Professional Services

1) U. S. and local Public Health Agencies
2) Private physicians
3) Private and public clinics
4) Comprehensive medical centers
5) Education and training of professionals and para-professionals.
6) Insurance programs (public and private)

Research

1) Funding, control, and priorities (private & public)
2) Delivery of results

Environmental Factors

1) Pollution: air, water, land, noise
2) Industrial conditions
3) Residential environmental sanitation
4) Community services: water, sewer, garbage

Pharmaceuticals

1) Research, including testing & quality control
2) Manufactual
3) Distribution
4) Control through patents
5) Licensing authorities

Insitutional Care

1) Public & private hospitals

2) Mental institutions

3) Nursing homes

Nutrition

1) Food stamps and commodities

2) School lunch programs and other "special" projects

3) Possible impact of Nixon FAP

4) Consumer information

Task Force Health

AUG 4 1972

JAYCEES TO AID POOR UNDER OEO GRANT

The U.S. Jaycees are recipients of a $275,000 Office of Economic Opportunity grant for the creation of what OEO termed an "action-oriented partnership" between the Jaycees and OEO's Community Action Agencies. Over the next year, Jaycee chapters will develop programs making their resources available to aid the CAAs and the poor. OEO Director Phillip Sanchez said the grants would focus on technical assistance in the areas of economic development, housing development, resource mobilization, and public relations, with the intention of providing not only immediate aid but also a basis for long-term cooperation between the Jaycees and CAAs.

The Jaycee-CAA project will select 10 cities for major grants and 80 to 90 other communities for smaller allocations during the next 12 months, OEO said. A coordinating committee, with 19 members drawn from Jaycee chapters, CAAs, OEO, and other federal agencies, will oversee the projects. Bern L. Gentry, director of human improvement for the U.S. Jaycees, was named executive director. □

$11 MILLION HEALTH MANPOWER PLAN SET

Improved health services for medically underserved areas is the goal of an $11 million program to support Area Health Education Centers (AHECs), which will provide clinical education for the health professions and allied health occupations in areas which lack adequate health manpower. The program, run by the Bureau of Health Manpower Education (BHME) in HEW's National Institutes of Health, is to follow the recommendations made in a Carnegie Commission report titled "Higher Education and the Nation's Health."

AHECs will provide residency training, clinical instruction for undergraduate medical students, and continuing education for practicing physicians in manpower shortage areas. In addition, training for health professions, nursing, and allied health occupations will be made available through the centers. The nucleus of an AHEC will be an established public or nonprofit hospital or consortium of hospitals where, under a written agreement with medical and other schools, the training will be provided.

The $11 million appropriated for fiscal 1972 will be available for commitment through this September and an additional $11 million has been appropriated for fiscal 1973. The program is funded under the Comprehensive Health Manpower Training Act of 1971, which also extends to support projects to improve the distribution, supply, quality, utilization, and efficiency of health personnel and the health services delivery system. According to BHME, only the AHEC program is being implemented at this time.

(Additional information may be obtained from the Manpower Initiative Program, Office of Special Programs, BHME, NIH, Bethesda, Md. 20014.) □

'WIN' ISSUES RULES FOR HEARINGS

The Labor Department has spelled out procedures for administrative hearings and appeals under the Work Incentive (WIN) program for welfare recipients who refuse without good cause to accept jobs under the program. The new regulations, published in the *Federal Register* July 18 (Vol. 37, no. 138, page 14268), went into effect on July 1, 1972, with the implementation of the so-called Talmadge amendments to the WIN program.

Under the WIN amendments proposed by Senator Herman Talmadge (D.-Ga.) and enacted last December, able-bodied adults must register for jobs or training in order to be eligible for Aid to Families with Dependent Children (AFDC). Persons who refuse employment or training are entitled to a hearing. If no grounds are found for the refusal to accept employment or training, the welfare recipient is given a 60 day period of counseling or other services designed to persuade him to participate in WIN. Should he still refuse, the Labor Department will discontinue welfare payments to the individual—although dependent children or other relatives may continue to receive welfare payments for which they are eligible.

The new WIN regulations provide for a hearing by a state hearing officer provided by the state WIN sponsor. An adverse decision may be appealed either to an appellate body provided by the state WIN sponsor or welfare agency, or, if the state does not provide for an appellate procedure, to a national review panel consisting of a Labor Department chief hearing examiner and eight appointed hearing examiners.

Persons who are terminated from AFDC because of their refusal to participate in WIN "without good cause" may be reinstated if they register for manpower services after a period of 90 days has passed. The WIN staff must feel they have demonstrated their willingness to participate before readmitting them. A person who has been readmitted and once again refuses employment must wait six months before registering again.

Although the hearings and appeals rules became effective on July 1, the Labor Department will accept comments or suggestions for changes if they are received by August 17. Comments should be addressed to the Assistant Secretary for Manpower, U.S. Department of Labor, Washington, D.C. 20210. □

22 STATES NOW HAVE STATEWIDE JOB BANKS

Computerized Job Banks, linking all Employment Service offices within a state, are now in operation in 22 states, according to Assistant Secretary of Labor Malcolm R. Lovell, Jr.

The statewide Job Bank systems provide local ES offices access to a daily computer printout of job openings. Thus, a job seeker at an ES office may apply for

PAGINATION INCORRECT

THE DOCTOR DILEMMA

TFC - HEALTH

AUG 1 4 1972

by Kenneth M. Endicott, M.D.

With more than 4.5 million employees, the health industry has become the Nation's largest employer—a network of medical centers, hospitals, educational institutions, government agencies, clinics, offices, facilities, and people engaged in hundreds of activities to maintain and protect the Nation's health. Our supply of health workers has doubled in the past decade, yet the gap between the demand for and availability of the central figure in our medical care system—the physician—has never been as acute.

For more than 40 years the Nation has been suffering from a growing deficiency in the supply of physicians and other health professionals—dentists, nurses, optometrists, and the like. Today this manpower problem is a major reason behind a tarnishing image of the health professions, a changing pattern of medical care and medical economics, and a vast upheaval in the previously conservative, tradition-bound system of medical education.

As recently as 1950 most of today's physicians were not yet in practice. The Nation had about 233,000 physicians—149 per 100,000 people. Medical bills were lower than they are today—about $78 per person compared with about $358 last year. It wasn't as difficult to get an appointment with a physician or dentist as it is now; there were physicians in the inner city, and doctors even made house calls.

Today there are about 334,000 physicians—162 per 100,000 people—and they work an average of more than 50 hours a week. Yet we don't seem to have enough to go around.

What have we done with the added physicians who have come into practice in the past two decades? According to one recent survey, physicians earn a mean annual income of $40,550. They rank first in income among 321 occupations, according to the Census Bureau. Add these incentives to the rising demand for physicians and another question develops: Why haven't even more candidates stepped forward to fill the need?

The answers are as unsettling as they are complex. The reasons behind the physician manpower problem are the same ones which have pushed national spending on health to $75 billion annually and brought the Nation to the brink of medical crisis. Hopefully, some of the root causes of this situation are now in the process of correction through a variety of Government programs.

Much of the new physician manpower has gone simply to take care of the Nation's rapidly rising health workload. Demands for health manpower vary according to the size and distribution of the population, patterns of living, consumer income, the educational attainment of consumers, insurance coverage, and services for special groups such as the disadvantaged. Programs such as Medicare and Medicaid that help pay medical expenses also affect the demand for health care.

Ironically, a contributing factor to the physician supply problem has been the improvement in the quality of our physician manpower. According to a Department of Commerce survey, 26 percent of the Nation's physicians in 1929 were specialists, having undergone further study, training, and examination than the general practitioner. By 1959, 46 percent were specialists, and by last year, more than 75 percent were actively engaged in one of the specialties.

In 1971, the general practitioner, the primary provider of family care, accounted for only 17 percent of all physicians. The pediatrician might be considered the youngsters' general practitioner, but he accounts for only 5 percent of the physician work force. Internists, specialists in internal medicine, fill some of the void, but they account for less than 13 percent of the Nation's physicians. The result is that today about 118,000 physicians are engaged in a form of general practice, 5,000 less than in 1957.

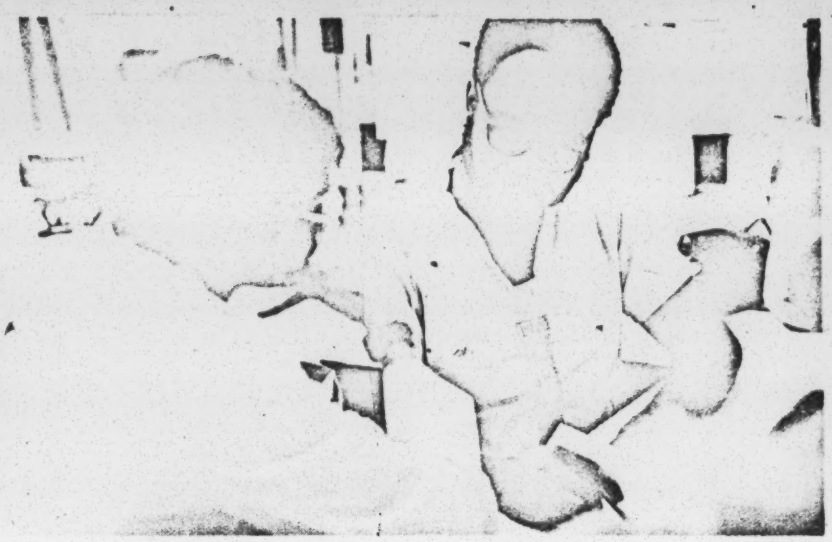
Many Foreign Doctors Practice in U.S.

Much of the total increase in physician manpower that has occurred is accounted for by an influx over the past 25 years of some 63,000 graduates of foreign medical schools. They comprise one-fifth of our active physicians, about one-third of hospital interns and residents, and a similar proportion of newly licensed physicians. About 3,000 immigrant physicians and over 5,000 exchange visitor physicians enter the U.S. annually, with many of the exchange visitors later remaining here permanently.

Not only have we not kept pace with our own demands for physicians, but we are stripping the medical resources of some countries whose needs are greater than our own.

Compounding the problem still further is that few new physicians set up practice in areas where they are most needed. Every major city has one of those buildings where shiny brass plaques near the entrance identify the offices of perhaps dozens of physicians—mostly specialists. In some cities there are more doctors in one of those buildings than in an entire urban ghetto. In Washington, D.C., the virtually all-black Anacostia section had 67 doctors' offices in 1969 for a population of 217,000. On the other side of town, a

Dr. Endicott is director of the National Institutes of Health's Bureau of Health Manpower Education.



Although opportunities are increasing, minorities still are grossly underrepresented in the health professions. Blacks, for example, represent only 2 percent of the Nation's physicians. This intern, wearing a watch for timing obstetric contractions, is one of the 879 minority students who composed 7 percent —the largest proportion in history—of last year's graduating class.

primarily white neighborhood listed 347 doctors' offices for a population of 86,000.

Similar situations exist in other major cities. One study in Chicago shows one physician for every 518 people in the north section of the city, while a southside area has one physician per 1,724 residents. Few new physicians are setting up practice in poor areas, and in many of these underserved areas physicians are leaving for safety, financial, or other reasons. The suburbs, with their booming, affluent populations, are able to accommodate these relocating physicians plus all the new ones who wish to set up shop there.

Rural areas also are unable to draw physicians in adequate numbers. According to one study reported last year by the American Medical Association, "Rural counties of under 10,000 containing 2.5 percent of the population attracted less than 1 percent of the 1960-65 medical graduates. Counties in major metropolitan areas of more than 2 million attracted 17.1 percent of the graduates although they contained only 12.8 percent of the population. In fact, the ratio of population per physician is inversely related to total county population."

The difficulty in channeling more physicians into rural areas finally overwhelmed a joint program of the Sears-Roebuck Foundation and the American Medical Association late last year. Since 1956 the program had been attempting to lure physicians to rural areas by establishing 162 small-town medical centers. While about 100 of the centers are in operation, seven have never attracted a practitioner, 51 are vacant or have been converted to other uses, and many others have seen a procession of practitioners who stay for a year or two and then move on to greener pastures.

But the situation is far more serious than even 51 abandoned medical centers would indicate. There are 132 counties in the United States with a combined population of 472,000 people without a physician. Towns are finding themselves in the same plight as Tionesta, Pa., population 1,000, which early this year was flying a banner on its main street reading, "Help! We Need a Doctor." Tionesta has been without a physician for over 3 years. The banner, hanging for about 6 months, had not produced any applicants at last report.

And as if a maldistribution of physicians in terms of quantity, geography, and specialty were not enough, the situation is further complicated by serious racial imbalances. For example, the 23.5 million blacks who represent 11.5 percent of the Nation's population account for but 2 percent of the Nation's physicians, 2.7 percent of the dentists, and 5.7 percent of the professional nurses.

As recently as 10 years ago racial prejudice was perhaps the major factor preventing most young black students from aspiring to medical careers. Quota systems in professional schools, lack of financial help, the inadequacy of much of the dual education system, restrictions on staff privileges for black physicians in teaching institutions, and numerous other forms of discrimination all served to limit the opportunities and aspirations of black recruits into the health careers. Many of these barriers have largely disappeared; those which still remain are primarily economic pressures and, in some cases, poor quality education which too often handicap the black student in competing for admission to the Nation's 108 medical schools.

More than 35,000 applicants—a conservative estimate—are now being considered for the 12,970 places that will be available to the incoming class of medical students this fall. A significant number, possibly as many as one-third of the qualified applicants, will be denied admission simply because there is no room for them. Of those who enter, the combination of their qualifications, motivation, and aptitude will result in about 90 percent completing their studies. For some medical students it might be said that their last major obstacle to becoming physicians will be getting admitted to a medical school.

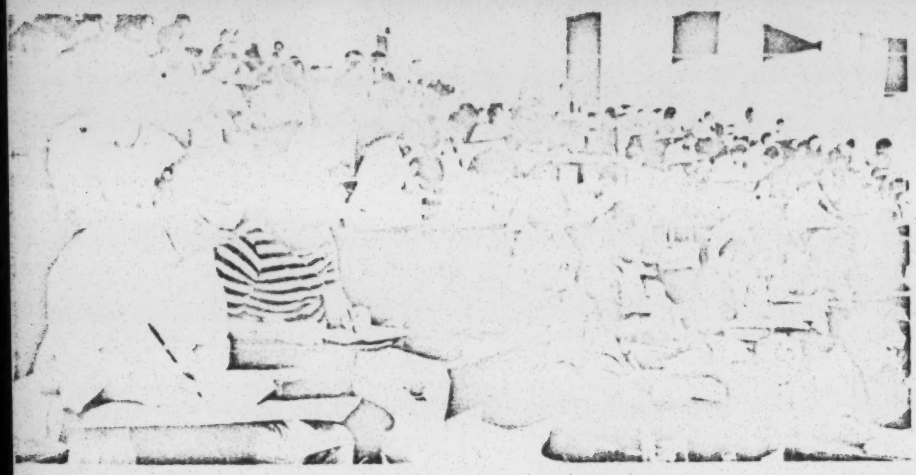
Schools Raise Admission Standards

Generally, medical training takes about 8 years from high school to M.D. degree, although specialists and researchers may continue training for another 2 to 5 and even more years. Most medical schools require a minimum of 3 years of college prior to admission. Some schools require the baccalaureate, many others recommend it.

Considering the medical school's reputation for tight admissions policies, prerequisite course requirements are not extensive—90 percent of the schools will accept qualified students with 1 year of biology, 3 years of chemistry (inorganic and organic), and 1 year of physics.

Admissions committees base their judgments on undergraduate grades, the candidate's score on the Medical College Admission Test (MCAT), personal interviews, and letters of recommendation. With competition so keen, medical schools are very definitely selecting the cream of the qualified applicants, leaving the others to pursue other careers. Mean scores on the MCAT are appreciably higher than they were a decade ago both for accepted and unaccepted applicants.

"A few years ago, any applicant with a straight B average in college was virtually assured of admission to some medical



Freshmen medical students at George Washington University (GWU) take notes during a physiology lecture.

school, and many admitted students had a lower grade average," wrote the dean of one medical school recently. "Today there are far more candidates with a 3.0 (B) average than can be accepted."

At another medical school, the chairman of the admissions committee says, "A rejection by the Committee on Admissions certainly does not imply that the student is not qualified to study medicine in this school. It merely indicates that other applicants have been evaluated a bit more favorably."

One barrier to obtaining a medical education, the cost to the student, has not risen as rapidly as one might expect during the past decade. According to the Association of American Medical Colleges, the average annual expense of medical students for tuition, lodging, board, and related costs has increased from $3,577 in 1963 to $4,394. The study showed resident tuition in public medical schools ranging from $387 to $1,215, and private medical schools from $950 to $2,500.

More than three-fourths of the income of medical students reported in the study came from a spouse's earning (29 percent), gifts or loans from the family (25 percent), and their own earnings (24 percent). By the time they graduate, 3 out of 5 medical students are married, and among this group the spouses are providing 50 percent of the cost of the medical student's education.

The student's economic plight certainly is not easy, and perhaps it is no wonder that one-fifth of the medical students come from families with incomes of $25,000 or more, although that group represents less than 5 percent of the total population.

Money Squeeze Slows School Expansion

Despite the mental, physical, and economic challenge, young people seem to be turning to medicine in increasing numbers, both as a reflection of their desire to help others and as the result of a decline in job opportunities in other scientific and technical fields.

The major reason schools are not expanding fast enough to accommodate the demand is financial. The cost of educating a physician is difficult to measure. Typically the school itself encompasses, in addition to classrooms, a teaching hospital which provides medical care as well as education, and laboratories which conduct research as well as train the student. Faculty members may split their time among teaching, research, and patient care, all of which may be woven together in a manner which defies separation for cost accounting purposes.

The Comprehensive Health Manpower Training Act of 1971 provides for a study to determine the costs of health professions education and to set up cost accounting standards for the health professions schools by Jan. 1, 1974. Until the study is completed, the best estimates place the cost of medical education at about $9,000 per undergraduate medical student per year. Since the highest tuition charged is $2,500, without Federal incentives there is obviously little reason for a school to expand enrollment.

The financial pinch which seems universal in higher education has been felt by the medical schools in various ways. In

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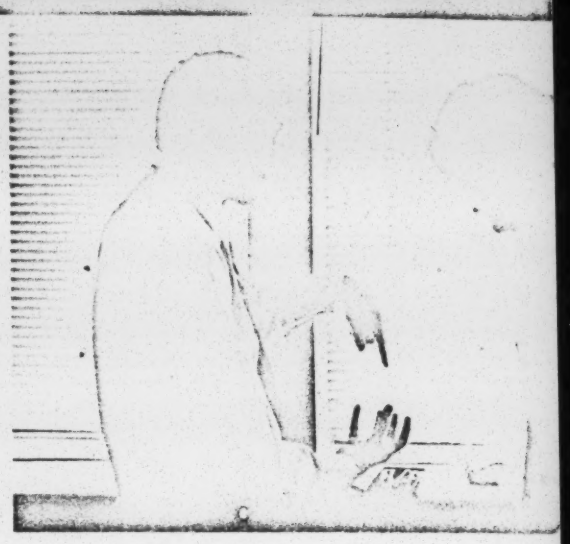
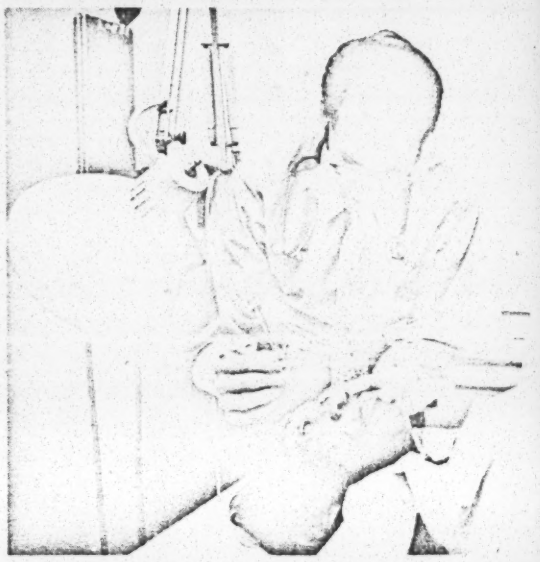




Dr. Kenneth Joslyn explains (top) glaucoma testing procedure to GWU medical student Bernard Bass, demonstrates (center) the use of a tonometer to measure the pressure in a patient's eye for possible signs of the disease, and then checks (bottom) the result.

some schools needed improvements in physical plant were postponed. Expansion of enrollment was impossible. The traditional sources of support for medical education — fees charged for medical care; the philanthropy of various individuals, businesses, groups, foundations, and the like; tuition; and assistance from State governments—have not been enough to pay the bill.

For this reason the Federal Government in 1963 began to develop various health manpower programs. Under the Comprehensive Health Manpower Training Act of 1971 the assortment of programs aimed at increasing the supply of physicians and other health professionals now consists of:

- Grants to professional schools on a capitation (per-student) basis, with bonuses for increases in enrollment.
- Construction grants to schools of medicine and other health professions and loan guarantees and interest subsidies for school construction.
- Grants to assist new medical schools in opening.
- Grants for special projects to expand or improve training in the health professions.
- Grants to hospitals to provide training programs in family medicine.
- Health Manpower Initiative Awards to finance health education for areas where health services are in short supply.
- Training for health professions teachers.

Medical and dental students are assisted by a program of loans and scholarships of up to $3,500 a year, and loan forgiveness provisions for students who agree to practice in areas which have health manpower shortages.

Black Enrollment Climbs to 7 Percent

The Federal programs are designed to encourage an expansion in medical school enrollment, greater practice of family medicine, better geographic distribution of physicians, and expanded enrollment in medical schools of minority students and students from disadvantaged backgrounds.

The transfusion of more than $1.4 billion over the past 9 years into the schools of the health professions has helped spur the greatest growth, improvement, and innovation since the modern system of medical education was established some 60 years ago. Where our medical schools graduated 7,300 M.D.s in 1963, this fall they will graduate about 9,000. Since 1965, 20 new medical schools have been established, more than in the previous three decades combined.

First-year black enrollment in medical schools has risen from 3 percent (265 students) in 1963 to 7 percent (879 students) in 1971. The intent of the 1971 health manpower

by Harrison Allen

A student holds forth on a patient's records as Dr. Ronald Karpick (second from left) and two other students listen during medical rounds at George Washington University Hospital.

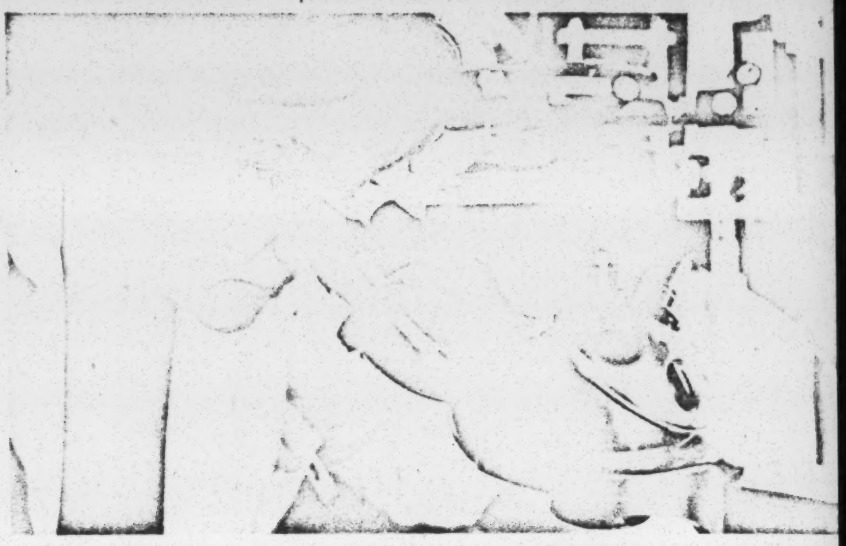
Working under the supervision of Dr. Jeff Crandall, student Allan Lewis examines a patient in the GWU Community Care Center.

With medical students observing and assisting, an orthopedic surgical team performs a knee replacement operation at GWU Hospital.

legislation is to eliminate the deficiencies in our health professions manpower pool by the end of the decade.

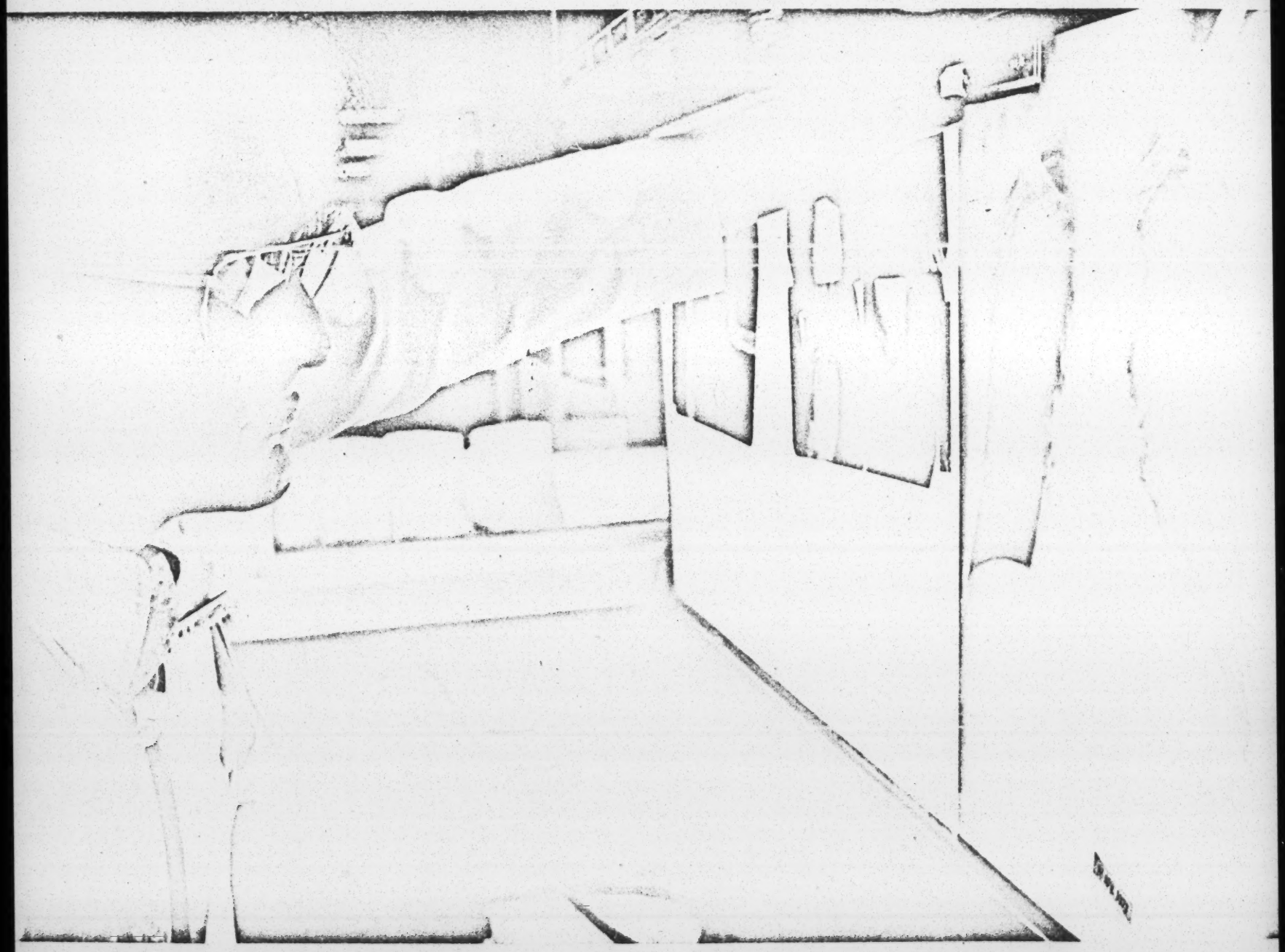
Within the schools the trend is toward shortened curricula, fewer required subjects, reemphasis of family medicine, integration of educational goals with the needs of the community, and development of auxiliary manpower.

Each of the Nation's 108 medical schools has introduced a new teaching program or is seriously considering such a step. At least 30 medical schools have shortened the traditional 4-year curriculum or plan to do so. Six of them offer



Senior medical student Brenda Kiessling checks kidney tissue for cross-matching in the GWU Hospital pathology laboratory.

Student Max Helfgott views X-rays during clinical clerkship in GWU Hospital emergency room.



an M.D. degree within 6 years after high school graduation. Johns Hopkins University has recently announced it will take students into its medical school as early as after the sophomore year of undergraduate school. Jefferson Medical College of Philadelphia and Pennsylvania State University have joined in offering an accelerated program granting students a B.S. and M.D. degree in 5 years after high school graduation.

Today's medical student also can better tailor his courses to his needs and aspirations than the student of decades ago. He can select electives and, at a few universities, students are even encouraged to take courses outside the medical school. Stanford University School of Medicine no longer has any required courses. All courses are elective although most of them must be within a broad approved framework.

The University of Miami School of Medicine is conducting an experimental program which both shrinks the curriculum and tailors it to the needs of students who already have doctoral degrees in the biological, physical, or engineering sciences (*see Making Doctors [M.D.'s] of Doctors [Ph.D.'s]*, MANPOWER, November 1971). Twenty students are en-

rolled in this program, which began last September and is designed to make them M.D.'s in 2 years. Such a program can retrain scientists who wish to change careers or to combine their previous backgrounds with medical training.

Generations of medical students have nodded under hours of formal lectures, particularly in the first few years of medical school. Today's students have the technology and freedom to advance at their own pace, through courses they choose, with a minimum of lectures. At Ohio State University Pilot Medical School, first and second year students are learning from computerized teaching machines and a variety of audio-visual devices. Lectures have been almost completely eliminated. Students still meet together, however, for occasional seminars, lab sessions, and anatomical prosections.

Two of the newest medical schools, Michigan State University's College of Human Medicine and the Pennsylvania State University College of Medicine at Hershey, are stressing the training of family physicians. Michigan State, which admitted its first class to its medical school in 1966, was founded with the idea that training in a university hospital was too specialized for the future general practitioner. Students there are receiving all their clinical training in community settings through a system of community-wide, non-profit health education corporations.

Specialists in Family Medicine Certified

These corporations, which are being formed in five cities and planned in others, include the health care facilities in which teaching will take place. The community furnishes the facilities and the physicians to staff them. The college supplies the students and the faculty supervisors. But control of these corporations is vested in the community. This approach combines the production of more physicians in a needed area of practice with the provision of needed community health services.

Another interesting indicator of renewed emphasis on general practice is the certification of more than 3,200 physicians, mostly former general practitioners, as specialists in family medicine by the new American Academy of Family Physicians. Hopefully, the recognition of this new specialty will encourage more students to enter this field.

A number of schools are demonstrating their recognition of the communities around them through new kinds of experiments. Johns Hopkins, for example, is developing comprehensive care plans for some residents of Baltimore's inner city and a suburban community. And the University of South Alabama Medical College is planning to set up a prepaid group practice offering comprehensive care to the universe community in Mobile and clinical training for medical students.

In still another direction, efforts to improve health service and increase physician productivity are being attempted through the use of new types of allied health workers, although progress has also brought problems of a special nature. About 3,250 formal programs now exist in colleges and junior colleges for training allied health manpower. Much publicity has gone recently to the 20-odd programs training a new type of worker called the physician's assistant.

Length of Training Bars Rapid Solution

The development of this new occupation can serve as an example for several problems in the allied health field. Programs to train physician assistants came about as a result of local needs. Since these needs vary, the training programs vary, and consequently there are different kinds of physicians' assistants. They are felt in some quarters to be encroaching on duties which might be performed by an existing specialty—a nurse, or technician, for example. Others are warning that the public will be unwilling to settle for the services of a physician's assistant, although he may be perfectly adequate in many cases. Finally, there are significant legal obstacles in some States which prevent effective use of the physician's assistant, prohibiting him from treating patients, fixing responsibilities for all his actions on the physician, and preventing both physician and assistant from obtaining insurance coverage.

The problems, however, are similar to those which have been encountered in the development of many of the new allied health occupations that have emerged over the past few decades. They can be overcome and the training of more physicians' assistants is being encouraged under the provisions of the Comprehensive Health Manpower Training Act of 1971.

The attack on the physician manpower problem, encompassing a variety of approaches, is thus making slow but significant progress. The vast numbers involved and the time required to train the physician prevent any really rapid solutions, but the impact of what is being done should soon be felt in those geographic and specialty areas where the need is greatest. In addition, when more physicians are coupled with new kinds of auxiliary medical personnel and new ways of using physician manpower, the result should be a more efficient health care system that can magnify the effects of increased numbers. □

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GRAVE ILLNESS HITS MIDDLE INCOME HARDEST

Medical Bills: What's a Family to Do?

BY CHARLES SEABROOK

Two Atlanta parents, looked on helplessly for eight months as their 6-year-old daughter struggled against and finally lost her battle with leukemia.

But after they had wiped away their tears and had accepted the fact that they would never again see their daughter's sparkling blue eyes, they faced still another crisis in the form of a ruinous $16,000 medical bill.

More than two years ago in Fairfax, Va., Susan Shepherd was involved in the kind of auto accident that can happen to any teen-ager. Since then she has hovered on the brink of death, kept alive by intravenous feeding, circulatory machinery, special air mattresses and constant medical care.

The medical techniques that keep her alive are miraculous. They are also very expensive.

Susan's hospital bills have now exceeded $80,000. And Susan's father, a $118-a-week drycleaner, is one of an estimated 30 million Americans who has no medical insurance whatever.

Is there any financial salvation for such families? Not likely, say insurance and health officials.

"Medically indigent" is the term applied by the medical world to families whose financial resources are exhausted by medical bills brought on by catastrophic illnesses.

SOARING MEDICAL costs and inflation make sure that the already-long list of medically indigent families will continue to grow.

The American Hospital Association (AHA) predicts that by 1975 the national average cost of hospital care will exceed $150 per day. That means, says U.S. Sen. Edward Kennedy, that hardly any American is immune from going from riches to rags because of health care costs.

Kennedy claims, "There is not a family in the nation that does not live in fear of sickness and ill health, and the very real prospect of financial ruin and worse because of accident or serious illness."

Members of an Atlanta Methodist church recently attrophic medical bills," says an Aetna Insurance Co. representative.

"Usually the monthly premiums are $43 to $50 for most major medical insurance coverage," he said, "which is a financial impossibility for many American families."

THE FILES of the Visiting Nurses Association of Metro Atlanta and the Community Council of the Atlanta Area are jammed with requests for help from medically indigent families.

"We first see if the person is eligible for any government or private programs, and if he is not, we try to work with the hospitals to plan for some type of payment plan," says Mrs. Margaret York of the Community Council.

"But usually our help is just not enough," she adds.

The Christian Council of Metro Atlanta also attempts to help, but all the organization can afford to do is provide aid for immediate emergency costs faced by the medically indigent family. Such emergency costs include rent, food, and clothing bills.

"LET'S FACE it," Mrs. York recently told her staff, "there is just not any organization in Atlanta set up to assist the family who must pay medical bills."

And the bills which lead to medical indigency can be large or small. Even a relatively small medical bill can be devastating to families on marginal incomes.

One organization that does exist in Atlanta and which has been responsible for reducing the huge medical bills of cancer patients is Our Lady of Perpetual Help Free Cancer Home.

"In years past, we kept some patients for as long as two years before they died, and we were able to provide tremendous aid to the family of the victim in both financial matters and psychological matters," said Sister Marie Cordis of the cancer home.

"But now," she says, "with new developments in cancer treatment, families of cancer victims are trying all means of treatment, and we are not getting the patients until the

Fourteen heart clinics, supported in part by the Georgia Heart Association, are scattered throughout the state and provide care for medical indigents suffering from various heart diseases.

The clinics have been very successful in arranging free open heart surgery for indigents who are referred by physicians.

The clinics also will occasionally accept persons who must undergo expensive heart treatment and who can afford to pay some of the costs, either through insurance policies or personal financial resources.

BUT THERE is one major catch to persons in the latter category. A physician must first certify the person as capable of being employed after the treatment is performed.

Otherwise, if the patient's condition is incurable, he—or she—can forget it, because the clinics cannot help.

The same is partly true for several state-supported crippled children centers throughout the state. The clinics serve as treatment and referral centers for persons up to 21 years old who are faced with various catastrophic illnesses and who subsequently face huge medical costs as a result.

Again, the state clinics will not treat those who are suffering from incurable diseases.

Here in Atlanta, Grady Memorial Hospital and St. Jo- and national health authorities predict that some form of national health insurance will be passed within the next two years.

The bill proposed by Sen. Kennedy is perhaps the most liberal of these measures. His version would provide cradle-to-grave health care for Americans, including those faced with catastrophic illnesses.

But opponents of Kennedy's bill say the country would be "taxed to death" to support such a concept, probably as much as 50 per ecnt of an individual's income, as is the case in Denmark and other countries with socialized medical programs.

Other authorities say health maintenance organizations (HMO), or prepaid health-care plans, might provide some solution to the problem, but few persons would be able to take advantage of such programs because of the costs.

GEORGIA'S BOARD of Human Resources recently approved Medicaid coverage of persons who must undergo costly kidney dialysis or kidney transplants in order to stay alive.

Kidney disease victims also will be covered by Medicare coverage beginning July 1, 1973.

Critics point out that kidney disease is only one of many catastrophic illnesses. Maladies such as cancer and heart disease also should be covered.

Dr. David Osborne, director of the Physical Health Division of the Georgia Department of Human Resources, says the only solution to the health cost woes is to extend Medicaid coverage.

Several key Georgia legislators foresee some bill to extend Medicaid coverage in the state coming up in the next General Assembly, which convenes Jan. 8. But the cost of such a proposal may lead to its defeat.

Several other states, however, already have extended Medicaid coverage and appear to have met with relative success.

PRIVATE insurance companies have felt the pressure of public opinion, and, foreseeing some national health insurance plan being established, are experimenting with increasing major medical coverage limits from $15,000 to $250,000.

Again, the costs of such coverage would be beyond the means of most Americans.

As Loretta Roberts of the Visiting Nurses Association of Metro Atlanta puts it, "We've got to educate the public to plan for the probability of medical indigency, or else the problem will be with us forever."

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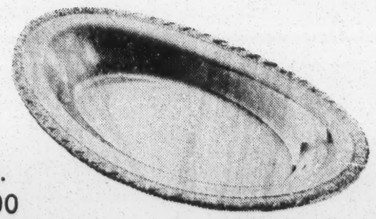

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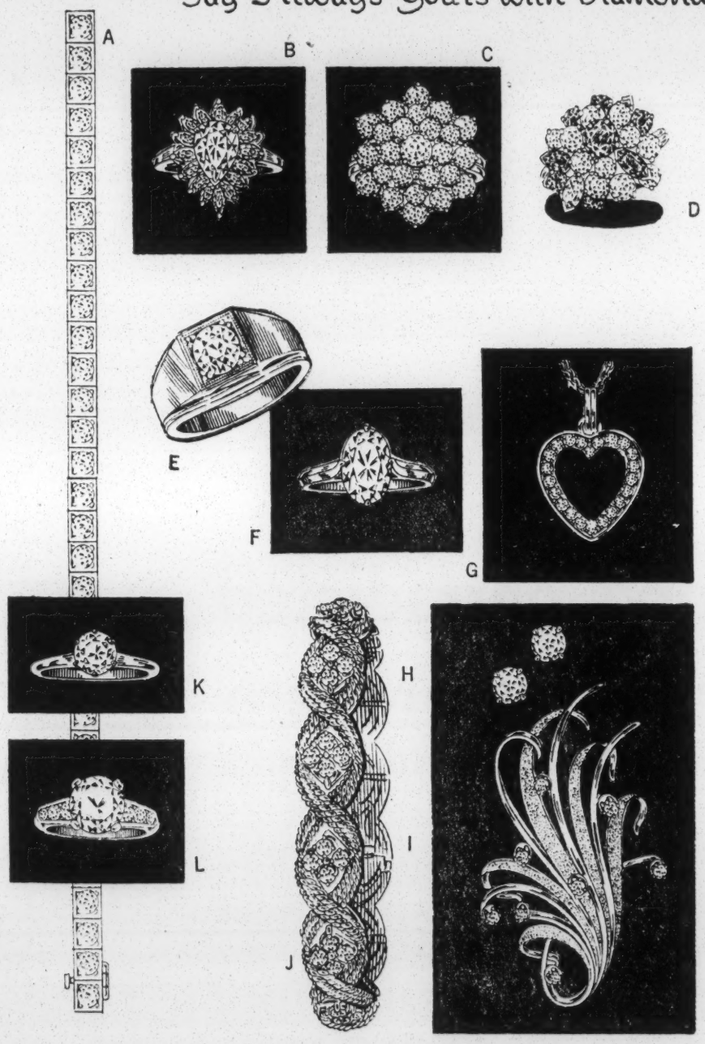

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I. 18 karat y.g. brooch $360
J. 18 k y.g. diamond bracelet $2717
K. Prong-set diamond ring $1000
L. Diamond platinum ring $6000

cost of hospital care will exceed $150 per day. That means, says U.S. Sen. Edward Kennedy, that hardly any American is immune from going from riches to rags because of health care costs.

Kennedy claims, "There is not a family in the nation that does not live in fear of sickness and ill health, and the very real prospect of financial ruin and worse because of accident or serious illness."

Members of an Atlanta Methodist church recently attempted to raise funds to help defray the medical bills of a severe-burn victim, who has been in an Atlanta hospital for more than four months.

The members raised almost $4,000 through various projects. That is a mere fraction of what the total medical bill will be.

IRONICALLY, a person on welfare is not faced with the possibility of paying huge medical bills. Georgia's welfare recipients are covered by Medicaid, a federal-state-sponsored program for medical care of the poor.

And disabled persons and persons older than 65 who are receiving Social Security benefits are eligible for Medicare.

"It's the middle man who is hit hardest with these medical bills," says Dean Grogan of Blue Cross and Blue Shield in Atlanta. "He's the man who's making a comfortable living, and possibly covered by some type of medical insurance.

"But when he or his family is hit with catastrophic illnesses or accidents, his financial resources can be easily reduced to zero, and he might be paying for the bills the rest of his life."

MORE THAN 30 million Americans are not covered by any medical insurance at all, says the Committee for National Health Insurance. At least 50 million more have insurance that adequately covers such woes as broken limbs and appendectomies, but pays little or nothing toward the costs of major, extended illnesses.

But only a few Americans are covered by "major medical" health insurance policies, and the average limit of such policies is $10,000 to $15,000.

"That would only be a fractio of the cost for many catas-

Home.

"In years past, we kept some patients for as long as two years before they died, and we were able to provide tremendous aid to the family of the victim in both financial matters and psychological matters," said Sister Marie Cordis of the cancer home.

"But now," she says, "with new developments in cancer treatment, families of cancer victims are trying all means of treatment, and we are not getting the patients until the last few days of life.

"And in those situations, we can provide very little help for the victims and their families."

GEORGIA ALSO has operated statewide cancer clinics, which now number 17, since 1937. The clinics provide some measure of relief for medical expenses of cancer victims by treating the patients and charging them on the basis of income.

Other clinics throughout the state exist which provide some degree of care for patients with other catastrophic illnesses.

The same is partly true for several state-supported crippled children centers throughout the state. The clinics serve as treatment and referral centers for persons up to 21 years old who are faced with various catastrophic illnesses and who subsequently face huge medical costs as a result.

Again, the state clinics will not treat those who are suffering from incurable diseases.

Here in Atlanta, Grady Memorial Hospital and St. Joseph's Infirmary attempt to work out an "easy payment plan" for families forced with crushing medical expenses. But such hospitals are few and far between, and several facilities will not accept patients who cannot guarantee payment.

"IT'S A SHAME most people don't know about Grady's plan, because they are mortgaging themselves to the devil to pay hospital bills," said an official in Grady's business office.

Several national health insurance bills already have been introduced in Congress,

Legislature Leaders Hit Federal No-Fault

MIAMI BEACH (UPI) — Leaders of the nation's state legislatures have taken a stand against federal no-fault insurance.

The National Conference of State Legislative Leaders opposed "federal legislation in any form regarding the auto reparation system because such legislation could preclude meaningful and wide-ranging experimentation at the state level destroying desirable flexibility, freezing mistakes and preventing self-determination."

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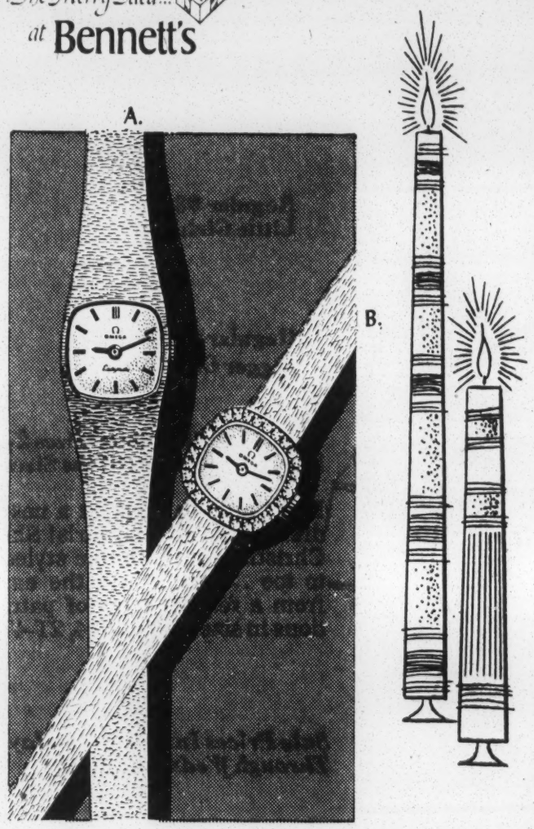

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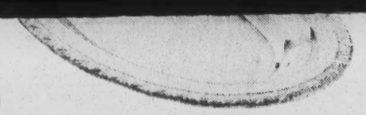

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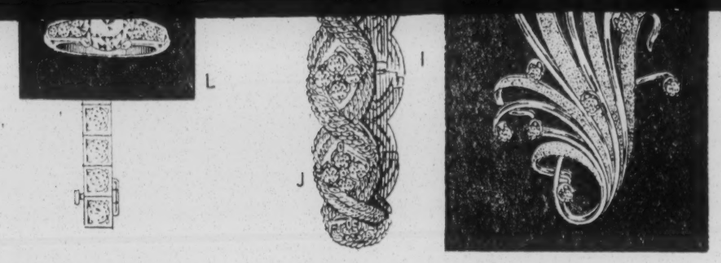

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E. Man's diamond ring $850
F. Emerald cut diamond $17,500
G. Heart shape dia. pendant $374
H. Diamond earrings (pierced) $800
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Associated Press Photo

END OF LIFE—New York—Bill Shogren, color director for Life magazine, takes a long look at past covers of the pioneering publication in Life's New York offices after learning it will fold. The first issue was published Nov. 23, 1936; the last will be dated Dec. 29.

Irate Businessman Foils Kidnaping of Wife

PACIFIC PALISADES, Calif. (UPI) — An irate businessman, roused from his sleep by a gunman attempting to kidnap his wife, attacked the gunman, wrestled his pistol away from him, and sent the suspect fleeing with two shots.

Police said the incident occured Friday when the gunman knocked at the front door of Tony Assinesi's home. Assinesi's wife Roxie answered the door and was threatened with a .38 caliber revolver.

She said the gunman put the pistol to her head and demanded that she bring her son to the door.

Lying, she told the man the boy had left for school and the gunman barged into the home. Meanwhile, the boy, alerted by the ruckus, slipped out of the house.

The gunman roused Assinesi and forced the couple outside where he ordered Mrs. Assinesi to accompany him.

"No way are you going to take her," Assinesi shouted and leaped at the intruder.

Grappling on the driveway, Assinesi managed to wrest the pistol from the gunman and fired two shots as the suspect fled the hilltop home in a red coupe.

Police helicopters and squad cars scoured the fashionable residential neighborhood but found no trace of the gunman's car.

Ex-Legislator Dies

HAMPTON, N.H. (AP)—Ernest Underwood, 59, a former staff member of the U.S. Senate Appropriations Committee and a state legislator, has died. Recently he was an industrial analyst for the Federal Aviation Association in Washington.

Story Contradicted On Professor-Hero

PARIS (AP) — A French passenger aboard an Ethiopian jet airliner on which seven hijackers were killed said Saturday it was a female hijacker and not an American professor who tossed a dropped grenade into a section of unoccupied seats

The report by the Frenchman, Bruno Rouvillois, contradicted a version of an American passenger, Richard Wylie, about Friday's attempted hijack.

Wylie said one of the hijackers dropped the grenade and that Roderick Hilsinger, a professor at Temple University in Philadelphia, picked it up and threw it into an empty seat.

The blast blew a hole in the side of the jet and knocked out one engine and the rudder

★ ★ ★ ★ ★

BURGLARS BREAK INTO WRONG HOME

MINNEAPOLIS, Minn. (AP) — Burglars who broke into the Arthur L. Elsner home took loot which included about $2,500, a police band radio and

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Wylie said one of the hijackers dropped the grenade and that Roderick Hilsinger, a professor at Temple University in Philadelphia, picked it up and threw it into an empty seat.

The blast blew a hole in the side of the jet and knocked out one engine and the rudder control. The four-engine Boeing 720B returned safely to Addis Ababa in Ethiopia from where it had taken off half an hour before the hijack attempt began.

A security squad aboard the plane killed the seven hijackers.

In Addis Ababa Emperor Haile Selassie conferred decorations Saturday on the nine-member airliner crew and four security guards. For Capt. Ketsela Hailu, 38, of Addis Ababa, it was the second time in three years he commanded an aircraft involved with hijackers.

On Sept. 13, 1969, his Ethiopian Airlines DC6B with 39 passengers aboard was hijacked to Aden on a flight from Addis Ababa to Djibouti. Ketsela had to fly the plane with a gun at his head. In Friday's drama, his cockpit door was locked.

The jet hijacked Friday carried 94 persons. Seven passengers and two stewardesses were wounded, some by shrapnel from the grenade. One of the two women hijackers was mortally wounded and died after the airliner returned.

One of the wounded passengers, S.V. McCollum of Houston, Tex., was hit in the abdomen by shrapnel. The hospital would give no information Saturday on the injured passengers' names, nationalities or condition. McCollum's condition was said Friday to be "semi-serious."

The airline said it was withholding all information until relatives had been informed.

The identities of the hijackers were not disclosed, but it was thought they might have been members of a separatist guerrilla movement in the northern Ethiopian province of Eritrea.

The Eritrean Liberation Front has claimed responsibility for other hijackings and attempted hijackings of Ethiopian airliners.

Dental Society Honors Malone

Dr. Lee B. Malone, an Atlanta dentist for the past 26 years, Saturday night was named 1972 "Man in Dentistry" by the Northern District Dental Society during the group's annual awards dinner.

Dr. James O Dickinson Jr. was installed as the society's new president, while Dr. Theodore C. Levitas became president elect.

★ ★ ★ ★ ★

BURGLARS BREAK INTO WRONG HOME

MINNEAPOLIS, Minn. (AP) — Burglars who broke into the Arthur L. Elsner home took loot which included about $2,500, a police band radio and four loaded .33-caliber revolvers.

The theft was reported by Elsner, a Minneapolis policeman.

★ ★ ★ ★ ★

Texas Rules Marriage of Men Illegal

AUSTIN, Tex. (UPI) — The marriage of two men, one of whom dressed up like a woman, is null and void and the man who posed as a woman could be jailed for false swearing, Texas Atty. Gen. Crawford Martin ruled. Friday.

Martin said William "Billie" Ert swore falsely when he wrote his name in the space on a marriage license application for a female.

"Billie Ert is not a woman as called for by the statute," Martin said. "Therefore, the information given as to the woman's maiden name on the application is false."

Ert and Antonio Molina, a former high school football star from Brownsville, were united in a double ring wedding Oct. 5 in Houston, but when they tried to file their marriage license, authorities said it was not legal.

Their attorney, Richard Cross, has taken the matter to court.

"I can find nowhere in the statute that one has to be a woman," Cross said. "If the attorney general would read his own opinion, he would find that it didn't require one of the applicants to be a woman."

"It's a shame that two people can't get married when they want to live together in a legal sense," Ert said.

But Martin said the legislature indicated it intended for marriages to be only between two persons of opposite sexes when it specified that "a woman's maiden name" be included on marriage license applications.

Charges have not been filed against Ert, but Martin said if he is charged and convicted of false swearing, he could be sentenced to two to five years in prison.

Ert is a female impersonator who has a night club act and Molina has worked as a shipping clerk.

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SEARCH A Report From The Urban Institute
Volume 2, Numbers 3 and 4
Summer Issue, 1972

Nursing Manpower Estimated

The supply of professional nurses in the United States will increase substantially during the 1970s, according to Stuart H. Altman, Deputy Assistant Secretary for Health Planning and Evaluation in HEW.

Altman, who undertook much of his research on nursing manpower projections while serving as director of health studies at The Urban Institute, reaches findings that seem surprisingly optimistic in light of several recent factors:

—A severe shortage of nurses occurred during the early 1960s. Over 20 percent of hospital nursing positions were reported vacant.

—Hospital-operated schools, the traditional primary source of new nurses which accounted for 78 percent of the nation's graduating nurses in 1960, are sharply declining in number. Two hundred of these hospital-operated diploma schools ceased business altogether in the 1960s.

—The percentage of female high school graduates who are entering nursing training has declined. Those choosing nursing dropped from 7 percent of their class in 1956 to 4.8 percent in 1969.

The prospects for future nursing supply appeared quite grim, therefore, to many observers. Altman points, however, to other important changes in the nursing field that lead him to a contrary view:

—More foreign trained nurses are entering the U.S. labor market each year. In 1950 they accounted for only 1.7 of the new supply, but their numbers and proportion grew to 6.1 percent in 1960 and 10 percent in 1967. Altman anticipates they will comprise 16.4 percent of the new annual supply by 1980.

—The decline of hospital-operated diploma schools has been more than offset (and to a degree caused by) the rapid growth of 2-year associate degree schools and 4-year baccalaureate degree schools catering to nursing professionals.

—Nursing salaries have risen substantially from previously low levels.

—New admissions to nurse training programs will grow from 69,000 in 1969 to between 85,000 and 92,000 by 1980.

Also taking into consideration such other complex features as regional mobility, labor force participation rates, part-time work, and nursing school drop-outs, Altman projects that the 1970 level of 700,000 practicing registered nurses will have grown by 1975 to between 785,000 and 809,000 nurses, and by 1980 to between 864,000 and 924,000. Compared with the 1960s, the annual growth rate of professional nurses will decline from six nurses per 100,000 population to about five per 100,000 in this decade. The supply of professional nurses measured 341 per 100,000 residents in 1970; the supply will increase to between 379 and 406 per 100,000 residents by 1980, Altman concludes.

Details of the findings and methodology are included in *Present and Future Supply of Registered Nurses*, published by the Department of Health, Education and Welfare, and available also from the Institute.

Altman emphasizes that his projections do not address the question of whether the future supply will be adequate. Changes which defy accurate prediction are occuring in demands for medical care, medical technology, and the reliance on substitute personnel such as assistant physicians, nursing aides, and practical nurses. He cites Public Health Service estimates of nursing needs that would result in serious shortages by 1980 even if the calculations of a much improved supply prove reliable. □

or to particular government programs that are not succeeding. Officials on the spot, who must respond to such news, then, are likely to tune their antennas toward those who offer answers. It is said of a key cabinet official that he takes nothing seriously until it appears in the newspaper.

Second, special bodies in and out of government take it on themselves to lay out serious problems, map out solutions, and get the information privately or through public hearings to the right people. The Joint Economic Committee, the Committee for Economic Development, and the Advisory Commission on Intergovernmental Relations are examples.

Third, a select number of individuals are one-man bridges. Their stature as recognized experts in special fields gives them access and acceptibility to decision makers. One finds them in government agencies, on Congressional staffs, and in universities or other institutions. Examples include Wilbur Cohen on social security, Jerome Brunner on the learning of the young, Phileo Nash on Indian culture, and many economists on fiscal and monetary policy. Such persons may be controversial and are not followed slavishly, but when they speak, policy makers usually listen. One trouble with the stars is that they frequently have it all figured out already and they are not effective bridges to new insights by lesser lights.

Fourth, policy or research offices are built into various government agencies to serve their own departments and the larger federal network through participation in budget and program reviews. Planning-programming-budgeting systems, and the predecessors and successors of PPBS, have been attempts to bolster this capacity. These generally are still fragile links. They frequently suffer from weakness of staff and bureaucratic isolation. However, they remain perhaps the most promising mechanism for the future.

In my judgment, the greatest hope for good policy research—and *its use* to improve government—lies in the understanding and development of these bridging mechanisms. In future columns, I plan to devote further attention to these matters. □

THE FLORIDA STATE UNIVERSITY TALLAHASSEE 32306

Department of Economics
College of Arts and Sciences

Looking forward to our meeting — P.E.S.

February 7, 1973

TO: Robert E. Anderson and Colleagues at Southern Regional Council, Atlanta

FROM: Philip Sorensen and Howard Tuckman, Department of Economics, Florida State University

SUBJECT: Proposed Research on Rural Poverty in the South

OVERALL AIM:

The overall aim of this research is to evaluate the living standard of rural households with an eye toward proposing a set of policies to aid the unaided poor. We have chosen to study rural families for several reasons: (1) The large scale migration from rural to urban areas places a massive burden on the nation's large cities. It is our belief that as urban problems continue to multiply, it will become increasingly important to keep rural households from migrating to urban areas. In order to do so, improvements in the standard of living of rural families will be required. Yet little information is available on what this standard of living currently is or where it is deficient. (2) This nation has committed itself to improving the lot of all its citizens. But the needs of urban and rural families differ. In recent years, the plight of the urban poor has been studied extensively and new programs created to deal with their needs. Surprisingly little is known about the character of rural poverty or the type of programs which might serve those

in rural areas. (3) The number of programs serving the poor has increased substantially. Nonetheless, some poor families receive little or no aid because of the quilt-work character of the laws, deficiences in the administration of the aid programs, and lack of knowledge of alternatives. A need exists for a careful enumeration of the sources of income of the poor and for a comparison of income and needs. This information will be useful to these administering various aid programs by enabling them to determine where, despite the existence of several aid programs, needs are going unmet. (4) Finally, the problems of providing services to those in rural areas are serious ones. Rural households are usually spread out, sometimes in areas far removed from highways and streets. Finding them and providing aid can be expensive and time consuming. Transportation of goods and services from the origin point to program recipients poses serious problems for policy-makers and raises anew the question of whether a cash or a service program is superior. Yet, despite evidence that an innovative approach is necessary to cope with the problem of delivering aid to the poor, gaps exist in our knowledge of which programs would best serve the needs of those in rural areas.

Thus our program is designed both to fill existing gaps in our understanding of rural conditions and to provide a basis for improving existing aid programs to rural areas. In order to fulfill these dual objectives we propose to answer the policy questions suggested in the next section.

THE MAJOR POLICY QUESTIONS:

What is the standard of living of rural Southern households and does it meet the standards suggested by the Bureau of Labor Statistics?

In this phase of the study we will use a survey research technique to acquire information both on the income and expenditures of households. By comparing the

amount spent on various categories (viz., food, housing, taxes, etc.) with the amounts suggested by the Bureau of Labor Statistics we can make a judgment as to whether basic needs are being met. Households would be broken down by demographic groups and comparisons made both between groups and between states. The purpose of this phase of the study would be to determine how many families are meeting basic standards of need. Hopefully, we would also consider the adequacy of the BLS standard and make some modifications of it based on our data.

How effective are federal and state aid programs in meeting the needs of the rural poor?

For this phase we would define effectiveness in terms of the need standards proposed above. Questions would be raised in terms of the percentage of need met both with and without the various aid programs. Where services are provided it would be possible to determine whether the existence of these services helps a household to fulfill BLS standards. Moreover, comparisons would be made both between counties within a state and between states to determine the degree of variation attributable to administrative causes. As a separate phase of the study we would attempt to explain this variation either using factor analysis or regression techniques. We would also try to determine which programs are best suited to the needs of the young, the old, the disabled, the uneducated, minority groups, etc. Our goal would be to evaluate the overall performance of aid programs.

What accounts for the failure of some poor families to take advantage of existing aid programs?

To answer this question we would include questions on our questionnaire as to knowledge about existing programs, access to transportation, attitudes toward public programs and public officials, and past experience with public programs. It

might also be necessary to examine self-concept, educational levels (viz, reading skills?), contact with others receiving aid, etc. This aspect of the study would be sociological and social psychological but it would have a strong inter-relationship to the last question and the one following. The aim would be to help policy-makers identify the causes of failure in existing programs and thus to formulate programs designed to overcome these.

What would be the impact on unmet needs if alternative programs are provided?

Several different research phases are required to answer this question. First, it is necessary to examine where households fall short of need standards. Is it in housing or food expenditures or neither? And are they falling short in one area but exceeding standards in another? If so would a services strategy be superior to an income strategy? Second, it will be necessary to identify the conditions unique to rural areas. One of these involves the question of transportation and a set of questions will be posed to survey respondents regarding the distances they travel to receive aid and their means of travel. Another involves the availability of goods and services at reasonable prices at local food stores. To determine this, we shall have to select a sub-sample of counties and send interviewers out to identify both the prices and availabilities of various goods. The technique used here will probably be analysis of variance. A related problem involves the delivery systems in rural areas. What problems are posed to the aid-dispensing areas, how are they met, and what alternatives are available?

Related to these issues would be the key question of what it would cost to provide for the unmet meeds of the poor.

The aim of this phase is to provide a series of policy alternatives to existing programs, formulated in a manner which will make them useful to those inside and outside government.

A RATIONALE

The present re-organization of the Southern Regional Council and the development of special task force committees does not represent a significant departure from previous Council actions or motives, but follows from a desire to improve the Council's handling of its business. The target groups remain the Southern Black and Poor, the disinherited and powerless of the region. It is anticipated that an easier identification of the specifics of problem situations and program approaches for their amelioration will result from the new internal structure of the SRC.

The ultimate goal of our efforts is the establishment of a social order which is truly reflective of the term, "A Republic of Equals," a society characterized by high promises kept, by hopes fulfilled, and by justice and liberty known and treasured by all. It is the hope of the Council that its new structure of involvement will serve the development of a systematic approach to social re-organization, away from a society of oppressed and oppressor and to a society of free and equal men. And it is hoped that the new structure of SRC will prove itself a vehicle for sensitizing and meshing together the resources men of good will might apply to the problems that affect us all.

PROPOSED MATRIX FOR EACH TASK FORCE AREA

TASK FORCE COMMITTEE ON_____

SPECIFIC PROGRAM AREAS	GENERAL CONSIDERATIONS	CONCERNED AGENTS AND AGENCIES
	BROADER PROBLEM CONTEXTS 1. Urban/rural Factors 2. Demographic Factors 3. Poverty Factors 4. Racism CLASSES OF ACTORS (May be: Resource, agent for change, part of the problem) 1. Mass Media 2. Political and governmental agencies 3. Youth	

MEMO FROM THE DESK OF:

HARRY BOWIE

To: Gwen Sapp

Thanks for the Info by Vernon Jordan.

To Be Equal

Column No.32

MISSISSIPPI HEALTH CENTER ENDANGERED

by
Vernon E. Jordan, Jr.

One of the most successful health experiments in the country is in danger because of a struggle for control by political leaders. The Delta Community Hospital and Health Center, located in the all-black town of Mound Bayou, Miss., may lose its federal funding because of a veto by the state's governor. And even if the funds eventually come through, the Center will remain in danger of a takeover by forces outside the community and a cutback in services.

The dispute is important not only because it could cripple the town's economy and retard health services in the area, but also because it illustrates the continuing difficulty federally-funded local groups often run into with the state and local political powers.

The Delta Center was established five years ago with funds from the Office of Economic Opportunity. It consists of a 51-bed hospital and an outpatient clinic that treat hundreds of poor people each week. Federal authorities view the Center as a great success and authorized $5.5 million to keep it in operation for another year.

But in June, Mississippi Governor William Waller vetoed the grant, placing the Center in jeopardy. It's hard to understand the reasons for the veto. The state claims the hospital doesn't meet certain regulatory requirements, but neither do over half the hospitals in Mississippi.

The real issue seems to be who will control the federal money coming into the state -- the community-controlled health center or state political authorities. Time and time again, in communities all over the country, this has been the basic source of dispute over federal grants. OEO projects bring money and jobs to a community and it is a rare political leader who can stand to see all that power and potential patronage slip from his hands.

As of this writing, the dispute is unresolved. OEO wants to continue the project, and it is still possible that the governor will relent and allow a temporary grant. But that won't end it. If the grant is allowed to flow through the state capital,

...more.

the Center will still be endangered because control may pass from the community.

There is no question about the importance of this health center. It serves some of the poorest counties in the whole country, counties that never had decent health services before. Its survival is literally a life-and-death issue for many people whose illnesses might otherwise go untreated.

There seems little question that the Center ought to be continued and that control over its operation should remain where it has been for the past five years -- in the genuine community-controlled board that has run it so well for so long. If anything, the state of Mississippi should replace its present efforts to sabotage the Center with matching grants to really make an effort to provide health care for poor people in that area.

And it is increasingly clear the crucial services delivered by federally-funded groups must be insulated against local political storms. There is no reason why a governor or a mayor should have veto-power over federal monies for federal programs run by local citizens.

So long as the professional administrators of OEO are satisfied that a program is doing what it was funded to do, it should be immune from local political pressures. Poverty programs and especially important health programs like the Delta Center aren't just another political pork barrel; they are too important for that. In fact, they exist because local political authorities never cared about the poor and never fulfilled their responsibilities to all the people of their state or city.

# # #

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THE WHITE HOUSE

WASHINGTON

March 19, 1968

Dear Edgar:

I was impressed by your excellent interim report on housing needs and programs for Urban America.

It is bright testimony to the hopeful future that calls our growing country forward. In that, it is also a reflection of the success that leadership like yours can always create for all Americans to enjoy. I am most grateful to you and the distinguished members of your Committee for the devotion and effectiveness of your efforts.

My own Message on the Crisis of the Cities owes much to your incisive analysis. The ten-year goal to build six million new low and moderate-income housing units was guided by your findings. I also welcome your organizational and program recommendations, including the proposal for a National Housing Partnership.

We have already achieved much together. I rely on the Committee to move on now, recommending newer and larger roles for private enterprise in housing our needy people. Your final report, I know, will increase the admiration and confidence I offer you.

Sincerely,

Mr. Edgar F. Kaiser
Chairman
President's Committee on
Urban Housing
1016 16th Street, N. W.
Washington, D. C. 20036

It's time we stopped wishful thinking

Our programs to house the poor do not cut the mustard and it's time we all face up to a few hard facts.

by Richard W. O'Neill

Many years ago, when I was in college, I automatically assumed that all my professors really knew what they were talking about. After leaving the quiet halls of Academe for the rude streets of the marketplace, I found that many of their views had to be tempered somewhat. Now I don't include Walt Lewis in that group, which when I am peeved I call frivolous academicians. Walt is not frivolous, I'm not even sure he's an academician. At any rate he does know what he's talking about, and he's a good guy, even if he is so old. So I'm sure that what you have learned here is good stuff, because your faculty was selected by Walt and all of them have good practical experience in their fields.

But I'm fairly serious in my thoughts about a good many deep thinkers—I've often been told that I'm not a deep thinker: anyone who shoots his face off as often as I do can't be a deep thinker. In the past year as a member of the National Commission on Urban Problems, the Douglas Commission, I've heard and read a lot of good stuff, and heard and read a lot of stuff that is pure horsefeathers.

So I'd like to give you a few of my views on horsefeathers. Let's start with new towns. In Washington they're all the rage among the eggheads who didn't notice when Reston—the darling of Interior Secretary Udall—went down the tube to become just another big subdivision. And they probably won't be able to draw any lessons from the demise of Jim Rouse's great plans for Columbia.

Continued on next page

Richard W. O'Neill is the editor of House and Home, and a member of the National Commission on Urban Problems. From a talk delivered at the Building Officials Institute, University of Illinois, February 1, 1968.

Wishful thinking . . . *from page 7*

The fact is that the new town concept, as envisioned by today's city planners, is meaningless and bankrupt, because in popular parlance a new town is a self-contained city offering employment to a majority of its citizens. But experience to date has shown us that new towns with any viability are simply bedroom communities feeding off our major metropolitan areas. No one is going to be able to go out into the boondocks and create a new town, self-sustaining and a whole unto itself, without the expenditure of billions of dollars—and with no initial return on that investment. Private enterprise can't afford to do that and, in the view of most Americans, neither can the federal government. That kind of money would much better be spent in improving our cities and our community facilities, because everyone wants to come to existing major metropolitan areas.

Another hang-up that many people have today is the belief that just around the corner there is some sort of technological breakthrough which will produce low cost housing. It makes little difference whether you build that house out of mud block, precast concrete, wood, straw or cornflakes—it all costs the same if you include the amenities the larger society deems adequate. If the housing industry could get the exterior walls of single family homes installed free, at absolutely no cost to them, it would lower the price of the house only about 5 percent. The fact is that the house structure is probably the cheapest part of a dwelling unit. Most of the cost lies in land, financing, mechanical equipment, interior finishes and other amenities not included in those items.

Another hang-up people have is the belief that there is some magic way to get money into housing easily. But there is no magic way. Housing has to draw on the same capital pool that the consumer, big corporations and the federal government draw on. And capital in that pool must earn the accepted market yield. To draw money at low interest rates and long terms takes big subsidies.

All too often we hear about a shortage of land. And it so happens that our urban plant now only covers something over one and one-half percent of our land mass in the US. If we could improve our mass transit systems—and our very loose body of zoning laws—there would be plenty of room for all of us and all of our activities for generations to come.

Here is one of my favorite horsefeathers subjects. Our programs to house the poor do not cut the mustard and it's time we all face up to a few hard facts.

Fact No. 1: There are today in the US almost ten million families who anyone in this room would describe as poor.

Fact No. 2: About half of these families are virtually trapped in cramped and often stinking quarters in our urban cores, where they erode the tax base and hasten the flight of businesses and the affluent to the suburbs.

Fact No. 3: FHA's 221d3 program and rent supplements are workable, but they are a drop in the bucket and will remain so. Why? Because it is bad politics to give some borrowers a subsidized interest rate while everyone else pays up to 7 percent and to pay part of someone's rent because he doesn't earn enough to pay it himself.

Fact No. 4: Public housing can't do the job either—partly because it, too, is bad politics and partly because of its unusually high cost. Over the past decade, public housing construction has averaged 20,000 new units a year, even though the average authorized has been 30,000. And if Congress authorized 30 times that amount for the next ten years, the total would still not be enough to house all the families who live in one kind of slum or another.

Fact No. 5: Urban renewal programs have not involved much low-income housing because local agencies have not designed them for that purpose.

Fact No. 6: Rehabilitation of old and dilapidated housing is workable only on a block-by-block basis, and it's too risky to tempt private enterprise on big jobs. Rehab costs cannot be estimated with anything like the accuracy of new construction so they can range from 50 percent less than new building costs to 50 percent more.

Fact No. 7: There's a steady increase in substandard housing. In New York City, for example, the number of substandard units has risen from 420,000 to 540,000 since 1960. Replacing these slum dwellings with state-subsidized public housing would now cost roughly $14 billion. And New York City is not about to get more than a tiny fraction of that amount for existing programs.

Another hang-up that many people have today is the belief that just around the corner there is some sort of technological breakthrough which will produce low cost housing.

Everytime the administration says we are going to do more about low-income housing, they fail to tell us how. And the reason they fail is because solving the problem will take a political commitment, purely and simply from the American people to spend that much money on poor folks.

In this area of housing the low-income families, FHA is often held up as a whipping boy who should have housed low-income people but failed to do so. But FHA was not created to house poor folks. It was created to get money moving again in the 1930's and it did just that. FHA regulations until last fall stipulated that any project on which it insured the mortgage must be economically sound; FHA could not insure mortgages which could only be backed by social benefit.

Next let's talk about urban sprawl. Urban sprawl offends what I call the sweet people, the deep thinkers and do-gooders. But it is pretty clear that urban sprawl does not offend the vast body of the American public because they purchased it by the square mile without so much as a murmur ever since World War II. Every other week it seems some pundit writing in one of those thoughtful journals that clutter the hall table in the University Club, says, "My God, if our cities go on like

this, getting uglier and uglier, and sprawlier and sprawlier, we will have to flee the country and go and live suitably structured in a tree-house on the upper Zambesi." Well I hope he has a lot of fun up there because I am going to stay right here and I believe all of you are to. Yes, we do have sprawl and we do have ugliness but we know in this country that we can rebuild anything that we want to rebuild. If the people of Illinois wanted to make downtown Champaign into a botanical garden, they could do just that by voting for it in a referendum. The expense spent out over the economic base of this state would not be that great. In the progress of a city's evolution, areas always do get built and rebuilt and we continue to pass the necessary legislation so that we can do that. One example is the Urban Renewal Act of 1949 which has rejuvinated downtown Pittsburgh, downtown Boston, downtown Baltimore, downtown New Haven and scores of other cities. If we want to turn junk yards in outlying areas into beautiful park lands, all we have to do is want it bad enough and we can have it.

In fact, because the US is not a needy nation we can have damn near anything the people want.

To continue just a bit more in the area of horsefeathers, let me cite four things that the National Commission on Urban Problems was charged with looking into in section 301 of the Housing Act of 1965—zoning, property taxes, building codes and development standards.

The problem in zoning lies in local parochialism (keep out poor people, low-income people, colored people; let in the well-to-do, clean industry, high-type offices and universities) and a body of law which is not really law.

The problem in property taxation lies in the inequitable way in which it is levied and in the reliance that municipalities must place on it to do a job it clearly cannot do.

The problem in codes lies in the constitutional right of any municipality to do whatever it chooses. We have four national codes right now which hardly any community in the US adopts without changing something to please local interests.

The problem in development standards lies first in the ability of zoning ordinances to ignore them, second, in the ability of the municipality to tax them right out of existence, and third in the fact that no one can agree on any.

All of this, of course, leads us right back to topic "A" these days. We hear about the urban crisis almost daily and it is a crisis that might have a fairly marked effect on our industry and your activities in the next decade. Simply stated the urban crisis is a slum problem, and the slum problem is the gulf between the frustrations of the poor and the consumer appetites of the larger society.

The history of such frustrations shows that riots and civil disorders come about when conditions are improving, but not improving as fast as rioters (or revolutionaries) expect them to improve. When the poor expect more, they feel their deprivations most deeply. Detroit is testimony to that.

In the five years from July, 1962 until August, 1967, Detroit received over $230 million in federal funds to combat poverty, to create employment and training centers, for pollution control and health programs, for recreation, housing and urban renewal programs, plus a good many other millions generated by local programs with no federal funds. Like New Haven, Detroit was a model federally-aided city and in July, 1967 Detroit had one of the worst riots in the nation's history.

Every society has needed a spark, or an explosion, to create change and to come to grips with entirely new problems. Those sparks for the US have not always been civil disorders: the military had Pearl Harbor to create an entirely new and responsive defense system within two years; our space industry had Sputnik in 1957 which gave us horizons most of us had never thought about. Now we as a society have a sputnik for the cities: riots—which need not intensify before we come to grips with urban problems.

In fact, because the U.S. is not a needy nation we can have damn near anything the people want.

New York City is cited so often in urban crisis discussions that a great many people tend to discount its value as an example of what can happen. But New York does give a good reading of what a good many cities may face in even less than a decade.

Federal and state funds provide $1 billion per year for New York City's welfare program. In addition, the city gets up another $500 million, but that's only part of the story. The city's slums exact a subsidy in the taxes they don't pay, in the extra police and fire protection they call for, and in all the social and health problems they create. That all adds up to another $1.7 billion, says mayor John Lindsay. So New York City's slums call for, directly and indirectly, an annual levy on business, industry and the general public of $3.2 billion.

Furthermore, New York's regional planning association says that New York City right now needs an estimated $300 million more per year for educating poor children and $800 million more per year for other poverty services—principally increased health and welfare payments. This would bring New York City's annual grand total levy to $4.3 billion for slums.

But the story doesn't end there. It gets worse. The cheapest and oldest housing is located in central cities, so lowest income groups settle there because it is the only thing they can afford. This hastens the departure of middle- and upper-income families and some industries to the suburbs. This reduces the tax base, cuts retail business and leaves major business firms the burden of paying a greater portion of city taxes than others who share community facilities at the same rate.

So central cities face a bigger need for revenues at the very same time that their capacity to produce revenues is reduced. And business faces a shortage of clerical help and skilled labor: these people have moved out of the central city—one good reason why business continues to move to suburban areas.

Continued on next page

Wishful thinking . . . *from page 9*

Now, six roadblocks lock the poor in ghettos.

1. No freedom of choice. Our economic system rests on freedom of choice; the market and competition are designed to assure the buyer of everything from tooth paste to locomotives that he has available alternatives. Yet this is precisely what is lacking in the lives of those who live in the ghetto. They are denied the full range of opportunity in training, employment and residence that their more fortunate countrymen take for granted. Business leadership, above all, should strive to expand freedom of choice as far as possible—which, translated into economic terms, means bigger markets.

2. Discriminatory zoning. A major element in denying choice to the slum dweller is the body of zoning law in most of the suburban ring around major metropolitan areas. Zoning, which is barely a body of law (the US Supreme Court won't touch a zoning case), very effectively keeps the poor and those with low incomes out of suburban areas by stipulating lot sizes way beyond their economic reach. Zoning is also used by most suburban areas to keep out blue-collar industry which could go a long way in providing the type of jobs low-income people could take if they could afford to live in the suburbs. The combination of fiscal zoning and zoning restricting industry effectively locks the poor into most center cities.

3. Income disparity. The slum negro may be better off today than his counterpart of 50 years ago, or huge segments of the population during the depths of the great depression. But poverty then was a tragedy because the nation did not have the resources to deal with it. Today, however, over 30 million Americans are living in poverty (family incomes under $3,130) and almost another 30 million are living in deprivation (family incomes under $5,000 and over $3,130). Roughly half of each group lives in center city slums.

It is true that real incomes per household in most central cities are steadily increasing, but this is not true of the worst slum areas. And the rate of real income increases for most central city residents is slower than that for suburban residents. So the gap is increasing. Family income in New York's central Harlem in 1966, estimated by the Department of Labor, was estimated at $3,907 as compared with $3,997 reported in 1960 by the US Census. At the same time recent studies by the Bureau of Labor Statistics showed that the cost of a moderate living for a city family of four in New York City was $10,195 a year. That gap as seen from the person in poverty is clearly astronomical.

4. A bad welfare system. Currently more than 8 million poor partake of a $7 billion annual welfare program in the US. In spite of that tax, there is good reason to believe that existing programs aggravate the condition of poverty. In the first place the burden of welfare falls heavily on northern cities and lightly on those areas where a good part of the poor came from. In the second place even states with liberal benefits do not meet federally defined minimum income levels. In the third place welfare practices kill the incentives of the poor to find jobs and to hold families together. If an able-bodied father of a family on welfare gets a job, he is taken off welfare, even if he only earns $50 a week. His only alternative to quitting his job is to abandon his family. Incidentally, less than 2 percent of welfare recipients are employable in the conventional sense of the word.

5. No political voice. People with a suburban orientation vastly outnumber those in slums. Some 70 percent of all urban growth in the US during the decade of the '50s took place in the suburbs and more than 16 million of the 17 million suburban population increase consisted of white persons most of whom were leaving central cities. In the decade of the '60s our suburbs embraced almost 80 percent of all urban growth.

In state legislatures and in congress, it is now fairly apparent that the old rural-city rivalry has been replaced by a rural/suburban-city rivalry. This new suburban and rural coalition until now has effectively limited the ability of urban legislators to change the nature of statutes and programs which effect the central city, and it also reinforces suburban zoning, and the power blocs behind it. This reinforcement, in effect, exacts a subsidy from the central city by imprisoning low-income families in the central city and permits no dispersion of low-income families to the suburbs.

It is worthwhile to note in the federal budget for fiscal '67-'68 that the Department of Agriculture has a net federal expenditure of $6.6 billion, while the Department of Housing and Urban Development has a net credit of $100 million.

6. A wrong-way governmental structure. Ideally, programs to handle slums should be co-ordinated with local and/or state governments, where the ability to react to a situation could be easier and faster than in the federal government. The problem is that the basic powers of tax collection are vested in the federal level, and local governments do not have the financial base to undertake programs of any appreciable scale.

(The basic problem in property taxation by municipalities lies in the inequitable way in which the tax is levied, and in the reliance that municipalities must place on the tax to do a job it clearly cannot do.)

This year activities of business and industry will generate, ultimately, over $150 billion of internal revenue. That figure far over-shadows the resources that our cities will get. So the federal government alone possesses the necessary resources to fund slum programs, if one assumes that private enterprise can do nothing without those funds to provide a public market. Yet, the commitments of the federal government indicate quite clearly that congress is in no mood to raise its ante in the slums in any appreciable way at the present moment.

The barriers around the slum dweller have created a potentially but not necessarily dangerous population trend. White population in central cities, which increased by 5 million in the decade of the 1950s, declined slightly in the 1960s. All growth of central cities now consists of non-white population increases, and nearly all non-white population increases, anyplace in the US, occur in our

Continued on page 14

Wishful thinking . . . *from page 10*

central cities or metropolitan areas. According to the most conservative estimates of present trends by the Bureau of the Census, by 1983, the total population in Chicago, Philadelphia, St. Louis, Detroit, Cleveland, Baltimore, Manhattan, Newark, Gary, Washington, Berkeley, Oakland and Trenton, will be over 50 percent non-white.

The tide of migration from the rural south is big: between 1950 and 1960 alone 10 million people came from the south to cities like New York, Detroit, Philadelphia and Chicago. This means that there must be an exodus of some size of the rural poor from big cities like New York before another decade goes by, or big cities which are now in the midst of social decay may well become social and economic disaster areas. A continuation of non-white population increases in the central city over the next three or four decades will produce a society more racially segregated than any in our history.

Aside from those thoughts, we must consider that any solutions to the problem of providing adequate housing for the poor will have to face the fact that today there is no such thing as new low-cost housing, if it is adequate. Furthermore, all evidence to date points to the fact that adequate rehabilitated dwellings cost as much as new ones without increasing densities or changing land use patterns.

The experience of the building industry indicates that if it could build without a code at all, it could not build any more cheaply and still have a structure that any financial institution would put its money on for 30 years.

For at least two generations one entrepreneur or another, often aided and abetted by the federal government, has tried to put housing technology on the assembly line. What has blinded most of these people is that building is essentially a materials handling technique, not a manufacturing technique. Assembly line practice in other industries are based on movable products, not products like houses.

Mind you I am not talking about the assembled components, like the window and door units, that go into houses. No one questions the good sense of assembling a refrigerator completely in one piece at the factory, rather than putting it together at the site. But the house itself is quite different from the components that go into it.

Housing, whether single-family or multifamily, is tied to a piece of ground, physically, legally, financially, and often even emotionally. Institutionally, therefore, housing does not lend itself to the assembly line.

Attempts to cut the cost of housing by putting it on an assembly line have reduced construction time to be sure, but the structure of the dwelling unit itself is not a big cost item. Saving money on the structure is usually a drop in the bucket compared to the costs of land, financing, overhead, profit and the various appointments within the structure itself.

The blame for high costs is often placed at the doorstep of building codes, and critics clamor for national codes and uniformity. The truth is that we have four national model codes now that are perfectly adequate, but the problem is that almost every municipality in the US has the constitutional right to change its building code to suite various pressure groups. Hardly any city in the US has adopted one of the model codes without making a great many amendments. Furthermore, the experience of the building industry indicates that if it could build without a code at all, it could not build any more cheaply and still have a structure that any financial institution would put its money on for 30 years.

The building trades also come in for a good kicking around when the cost of building is under construction. The truth is that labor's productivity per dollar, and I mean subcontractors working for a good builder, is almost the same in most high cost union areas as it is in most low cost non-union areas. Increasing productivity with new techniques does not affect costs materially, because labor costs accounts for less than 20 percent of the price of any dwelling unit to its occupant.

Congress has created one program after another with enough visibility to convince voters that something is being done. But most of these programs are too poorly funded to have any impact on urban problems. And many of them overlap and even contradict earlier programs. So each new program adds more chaos to the already chaotic machinery of federal, state and local governments.

What's more, most programs are wrapped in restrictions that make them almost inoperative. The builder who has the temerity to enter an urban renewal program is usually rewarded by being put on a rack and stretched in four directions by four different agencies, while the building trades jump up and down on his stomach.

Things may be changing for the better, however, Last fall HUD assistant secretary Philip N. Brownstein told his district directors: "I want you, in the multifamily area, to slash through red tape, indecision, and pussyfooting, to set rigid time goals and see that they are met . . . I want you to be prudent as well as urgent, but I want you to be prepared to take the risks necessary to accomplish the job and to know that you will be fully supported in the decisions you make."

Brownstein's conclusion was most direct: "You should work at this task as though your job depended on it—because it may!"

Whether or not the FHA succeeds in speeding up its processes, it is clear that it understands its position viz a viz private enterprise. Said Brownstein in the same speech: "As the unit of HUD with principal responsibility for administering private housing programs, it is our job to enlist and encourage private enterprise to play a leading role in providing decent housing and related human conditions for the inner city—especially in the slums and blighted portions of the inner city."

Two consistent problems have plagued most FHA programs. First problem is that a bureaucrat lays his career on the line everytime he makes a decision, especially a decision in the area of housing. Congress blasts FHA if a builder makes any money, and it blasts FHA for

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mortgage defaults, critizing its radicalism and lack of sober conservatism.

Second problem is that housing programs are too subject to the administration's fiscal maneuverings. Despite the administration's talk about the need for action now, the 221d3 program is literally strangling while several hundred million dollars of below market d3 money is still being withheld by the Bureau of the Budget.

Now then, how much does it cost and how can we do it?

Those are tough questions but there are some possible and reasonable answers.

Yet for some unexplainable reason there is a belief that profitability in housing is dirty and unacceptable.

New housing units in multifamily buildings—the kind needed in most center city slum areas—cost between $17,000 and $22,000 per unit with an urban renewal land write-down. Rehabilitated structures, in any volume and in densities desirable in center city slums, cost about the same and sometimes more.

This means that the rent level for an average $20,000 dwelling unit (one-bedroom in center city) would be approximately $150 per month, including 1) maintenance; 2) operating costs; 3) amortization and interest on a subsidized loan (interest rate a few points below market yields and a term up to 40 years); 4) partial realty tax abatement (about 50 percent); and a 5) two-thirds write-down of the land cost.

Half the poor families in the slums can only afford to pay from $65 to $110 per month rent. The other half of the poor families and households in the slums can only afford to pay from $35 to $60 per month in rent.

Since there is clearly a gap between what it costs to supply adequate housing and what the slum dweller can pay, the question is: how do you provide the difference?

Costs like these can only be cut in time by involving private enterprise with the traditional tool of subsidies: precisely the tools proposed by senators Kennedy and Percy—tax incentives to give entrepreneurs profits in the slums. Yet for some unexplainable reason there is a belief that profitability in housing is dirty and unacceptable. We don't find profitability in the supplying of food an unacceptable theory. We don't find profitability in in the supplying of clothing unacceptable.

Most businesses benefit from one or a number of subsidies, hidden or open. Air travel, automobiles, agriculture, communications, middle and high income home owners, the oil business, the aircraft industry, research and aerospace industries, and just about anything else you can name. Take just one example: each year in the United States, the federal government finances irragation for agriculture to the tune of $1 billion per year on a 50-year term and at a zero rate of interest.

If the same subsidy approach could be used in slums, private enterprise could go a long way towards solving slum problems.

It's clear that under present practices of taxation and financing, even with a subsidized interest rate and long-term mortgages, private enterprise cannot supply low-income housing in central city.

When figuring the costs of housing, you cannot eliminate maintenance and operating costs of the building over its economic life.

But you can eliminate some others. The most obvious: total land write-downs, which would mean in essence state or municipal ownership, and total tax abatement on the dwelling unit as long as it is occupied by a poor family.

However, no major city can afford to write-down land entirely and abate local taxes entirely. It would bankrupt most of them. One way to get around that problem would be to have the federal government provide all welfare, health and education costs for poor people in the slum areas (they are national concerns anyway). This would allow widely expanded tax abatement and land purchase by the cities.

Finally, government must be prepared to give subsidies without insisting on hidebound procedures which invariably lead to delay, red tape and high costs. Rules that keep every conceivable bad guy out of a program seriously impair the willingness of good guys to take part. Of course government has a right to regulate what it subsidizes. But too often it imposes rules that destroy incentive. If government wants private industry to invest in its programs, it must be willing to let investors make a profit.

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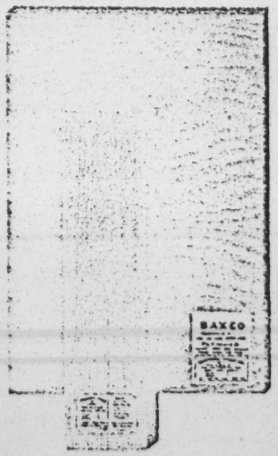

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THE WALL STREET JOURNAL
Friday, April, 26, 1968

Senate Panel Clears $5.2 Billion Bill to Aid Needy to Get Housing, Riot Insurance Plan

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON—An expanded effort to improve housing for needy families and to provide Government-guaranteed property insurance against riot losses was recommended by the Senate Banking Committee.

The panel also endorsed an Administration plan that would transfer from the Government to private investors the full ownership of the Federal National Mortgage Association, which supports the mortgage market by buying Government-backed home mortgages from private lenders.

In general, the Johnson Administration achieved the committee's approval to expand and initiate an array of old and new housing programs for low-income and moderate-income families. These programs are aimed at producing 300,000 new and rehabilitated housing units in the year beginning July 1, almost triple the current annual level. This would be the first step in a 10-year effort the Administration hopes will produce 6 million housing units under Federal aid programs.

But to make the price tag look lower, the committee scaled down to three years the Administration's request for a five-year spending authorization. Over the three years, the omnibus bill would allow the Government to spend $5.2 billion; the Administration had asked for $7.5 billion over five years. Several existing programs already have spending authority over the next year, so the bulk of the new $5.2 billion authorization would come into play after mid-1969.

Massive as it is, the legislation falls well short of meeting the housing goals recommended by the President's Riot Commission. The commission recommended an attempt to upgrade ghetto housing at a pace roughly twice as fast as that proposed by the Administration and endorsed by the Senate committee.

Among the big outlays the bill would authorize, beginning in mid-1969, are $1.4 billion for brick-and-mortar urban renewal and $1 billion for the relatively new "model cities" program, which gives cities extra money for a comprehensive effort to renew slums. These major authorizations would be for one year; both programs already have received lower spending authorizations through mid-1969.

Other Provisions

Other major sections of the bill would authorize:

—A new mortgage-subsidy plan to help low-income and moderate-income families buy homes.

—A new rent-subsidy plan that would augment existing subsidy schemes to help needy tenants.

—Establishment of a National Housing Corp. that would attempt to attract private investment into low-income and moderate-income housing projects.

—Issuance of Government-subsidized flood-insurance policies to some property owners in flood-prone areas; this plan, which made headway toward enactment last year, has become bogged down in a dispute over how it should be financed.

—A requirement that developers of subdivided land, in most instances, comply with Federal requirements of "full disclosure" when offering land for sale by mail or other interstate means.

—A new Federal subsidy program for college housing.

—Expansion of Federal aid for mass transit systems and urban planning.

—Federal guarantee of bonds and other debt obligations issued by developers of "new towns," in an effort to further encourage development of these communities.

It is highly uncertain whether the Senate committee's three-year, $5.2 billion estimate for these and other programs would turn out to represent the actual cost. Though the Senate is likely to expand the bill if anything, it almost certainly will face a paring attempt when it reaches the economy-minded House. In any event, before spending starts, a second go-round would be necessary to obtain appropriations, and the money Congress allots usually falls below the level authorized.

But other factors could boost the cost. The riot and flood insurance proposals would allow open-ended borrowing from the Treasury to pay for losses on insured property, if that became necessary. So no one knows what these activities could cost. Also, the various housing subsidy schemes typically would commit the Government to large long-term annual outlays, though they involve only small yearly costs.

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NEWS LETTER

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FHA Interest Hike Hits Self-Help Plan For Poor

VISALIA — The Goshen Self-Help housing technique, started here five years ago and now spread over 20 states, is being hit by an administrative order that increases costs and decreases the number of poor families that can qualify.

Robert Marshall, director of California's Self-Help Enterprises, says, "The Federal Farmers Home Administration has raised interest rates from 4 to 5 per cent."

From California to Florida, 252 homes have been built by rural, low income families utilizing self-help techniques and FHA 4 per cent, 33-year loans. However, since the first three homes were built in Goshen, the cost and re dtape have been creeping higher, eliminating the poorest of the poor.

"There has been such an increase in the self help program across the nation," he says, "that the FHA was running out of funds, but instead of asking for more direct loan funds, they are insuring 5 per cent private loans."

The 1 per cent increase means $5 a month more in payments. "This doesn't sound like much," he says, "but consider the fact that many of these people are just barely able to show FHA they can meet the loan repayment range from which Self-Help applicants can be drawn. The Office of Economic Opportunity in Washington has established maximum income limits for self-help families.

Eligibility not only is tied to income but the FHA demands the family concerned by fairly free of debt. This means that a family of five with an income of $3,499 but with monthly debt payments of $15 to $20 is not able to qualify under FHA rules because it does not have "repayment ability."

Sunday, March 8, 1964

The Federal Government spends hundreds of millions in interest-free money to deliver subsidized irrigation water for rich growers. That same Government has stopped appropriating 4% loan money to build housing for poor farm workers. Farmers Home Administration officials inform us that the above story is correct. The 4% money has been exhausted. No more is included in the budget now before Congress.

What kind of liberty and justice for all is that? The rich get interest-free loans while the poor get soaked 25% more by the same Government of all the people. If you think that is a lousy deal, write some of your friends in Washington.

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URBAN CRISIS

THE BATTLE WE CAN WIN

By Lt. Gen. James M. Gavin
and
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RECORDINGS

THE PASSIONS OF PENDERECKI

by Irving Kolodin

Finance

Loan company joins conglomerates

GAC Corp. is adding all sorts of operations—the latest is land development—to its original business

GAC Corp. agreed late last winter to pay the Mormon Church $100-million for 265,000 acres of Florida land. That land, situated west of Cape Kennedy, is now a working farm with 60,000 head of cattle, citrus groves, and timberland.

When the deal goes through, perhaps within a month, the Allentown (Pa.) company, which started as a finance company known as General Acceptance Corp., will emerge as one of the biggest land developers in the country.

GAC's back-to-the-land movement is recent but vigorous. Earlier this year it handed over $230-million in stock for Gulf American Corp., Florida's biggest but most troubled land development company. Since then, it has bought a Miami contracting firm, an ocean-front Miami Beach apartment hotel (to be replaced with a 17-story, $20-million condominium), and paid $38-million for 918 acres south of Fort Lauderdale (where it plans to build more high rises).

Beyond this, GAC is a partner in an office building in the Wall Street area, and recently entered into a pair of joint ventures with Florida builders—one for construction of the condominium in Miami and the other to build single family homes.

Many hats. Land development is one part of GAC's thrust out beyond finance. Indeed, in an industry with a dictum of diversify or die, the company is more a conglomerate than any of its finance company rivals. Though consumer installment debt is sky-high, a growing chunk of that business now goes to commercial banks and to the captive finance arms of big manufacturers and retailers.

So C.I.T. Financial Corp. now makes greeting cards, and Beneficial Finance Co. owns Spiegel, Inc., the mail-order house. Household Finance Corp. just bought National Car Rental System, Inc., and Commercial Credit Co. belongs to Control Data Corp., the computer maker.

As for GAC, it still makes loans, but it also makes truck trailers and library shelving. It runs small loan offices, but it also runs retail stores that sell auto parts, hardware, and toys. It got into computer leasing a year ago, and it owns both a savings and loan association and a mortgage banking concern in Portland, Ore. Last month it agreed to pay $5-million in stock for Sherwood & Roberts, Inc., a Walla Walla (Wash.) concern that does a mortgage loan, real estate, and insurance business.

Dovetailing operation. But GAC, under S. Hayward Wills, its super-aggressive, 43-year-old president, thinks it has a more sensible approach to diversification than any of its rivals. It keeps moving into new fields—but only when there is a chance for GAC to do what it knows how to do best: handle installment loan paper. In fact, earlier this year, GAC sold off a perfectly healthy, quite profitable subsidiary, Kahr Bearing Corp., because it didn't do any credit business. "It simply didn't fit in with our philosophy of financial assets," explains Delbert D. Reichardt, financial vice-president.

S. Hayward Wills is masterminding GAC's imposing array of acquisitions.

Land does fit. It was Wills who pushed GAC headlong into that boom industry (which finance companies have so far shied away from). "Land," says Reichardt, "happens to be a product you sell on an installment basis."

All this diversification has had a very dramatic effect on GAC's finances. GAC's net receivables—the stock-in-trade of any finance company—have swollen from $383-million in 1963, the year before Wills succeeded his father, Francis R. Wills, as president, to around $900-million now. GAC earnings have gone from $4.4-million in 1963 to $11.2-million last year. This year, things are really starting to fall into place, with Gulf American, a money-loser in the past, profitable once again. So GAC earned $14.5-million in the first half of 1969 against $5-million in the first half of 1968.

Private brand clients. GAC has been acquisition-minded almost since the day Francis Reed Wills launched it as a small loan company in 1933. Mostly, though, it kept buying other finance concerns, along with several small insurance companies.

It came up with one intriguing concept in 1961, called "private brand financing." Under that program, GAC organizes and runs, on a fee basis, captive finance operations for companies that for one reason or another don't want to operate financial captives themselves. The captive bears the client company's name but is, in fact, a GAC subsidiary. There are 27 private brand clients today, including units of RCA and Sylvania, along with Fisher Radio Corp. and Coleman Co. Private brand deals accounted for more than $72-million of GAC's receivables last year—up eightfold in five years, making it the fastest-growing in-house business.

Acquisition timetable. GAC kept growing through its years as a finance company. In common with most finance companies, though, its growth—in income and in profits—just wasn't spectacular.

Things began to change after Hayward

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Wills took over in 1964. Instead of just the finance business, there are a slew of operating groups today: insurance, manufacturing, retailing, computer leasing, mortgage banking, land development, and real estate. The shift to a holding company, under the GAC Corp. name, came just a year ago. The old parent company, General Acceptance Corp., is now the financial arm of GAC Corp., responsible for raising money for the operating groups.

In terms of diversification, the move into manufacturing came first.

GAC bought Highway Trailer Industries, Inc., makers of truck trailers, cargo containers, and construction equipment (and an early private brand financing client) in 1965, and pushed deeper into the truck trailer business last year by buying Miller Trailers, Inc., of Bradenton, Fla. In 1965, it also picked up Aetna Steel Products Corp., a manufacturer of library shelving. Kahr Bearing was acquired as payment on a defaulted note, in 1967.

GAC moved into computer leasing in March, 1968, by creating GAC Computer Leasing Corp. (which now has $38-million worth of computers out on lease). A month later it bought Dean Phipps Stores, a 72-store retail chain that sells auto accessories, housewares, garden supplies, and the like. Early this year, it bought the Home & Auto Div. of Eckmar Corp., a 58-store operation that sells a similar product line under the American Auto Stores, Noah's Ark, and Checker Sales names.

Still in finance. GAC has made as many deals inside the finance field as out.

In early 1968, GAC made a $30-million tender offer for the capital stock of Equitable Savings & Loan Assn. of Portland, Ore. Wills says he had been hunting for an S&L for years and finally hit on Equitable. Equitable's earnings were in a decline, but it had $315-million in assets, and did business in an area (Oregon, Washington, and Idaho) where personal saving tends to run quite high. The deal to acquire Equitable finally went through this summer.

In November, 1968, GAC picked up Commonwealth, Inc., the Portland mortgage banking outfit. With Commonwealth came a $360-million mortgage portfolio, but also a $1.7-million loss last year.

Often enough, GAC is called in to save a distressed operation—sometimes taking over the concern, and sometimes just taking over its receivables. GAC has a reputation for working well in troubled situations. Says analyst Ernest Widmann at Drexel Harriman Ripley, Inc., the investment bankers: "There are a lot of companies that with a little work can be turned around and GAC has found more than its share of them." GAC also has one of the top acquisition men around—54-year-old W. R. Strothman, a former Price, Waterhouse accountant and now GAC's vice-president and comptroller.

Three years ago, GAC picked up some of the pieces of Atlantic Acceptance Corp., the Canadian finance company that is

'After all, the guy who buys land is the same consumer we've been dealing with all along'

now in receivership—emerging with 100 new Canadian offices and some $20-million in receivables.

In 1967, GAC was called in to help Pioneer Finance Co. of Detroit, which was in deep financial trouble and has since been liquidated. GAC entered into a consulting agreement with Pioneer—helping to sell some of the unattractive finance paper the company held on low-cost shell homes. Later, GAC assumed Pioneer's debt and acquired its remaining receivables—most of those in more profitable mobile home paper.

GAC was called to the rescue twice last year. In March, it took over New Hampshire Finance Corp. when the parent company ran into financial trouble. In September, it took over $30-million in long-term debt and other liabilities of Modern Homes Construction Co., a Georgia producer of shell homes, in return for acquiring $65-million in mortgage receivables.

GAC, meanwhile, keeps trying to beef up the rest of its finance business. It is all but out of automobile financing now—an area where the competition is brutal. Similarly, it is moving away from retail sales finance—the notes it buys from retailers at a discount. That's another low-profit side of the business.

Diversification hasn't been an absolute success, of course. GAC's manufacturing group last year had sales of $45-million, but lost $296,500—after earning $234,000 in 1965, $1.8-million in 1966, and $2.4-million in 1967. The big loser ($1.4-million) was Aetna Steel Products, the maker of library shelving. This year, GAC has turned Aetna into a supplier for Highway Trailer and hopes to have the manufacturing group running at a profit.

GAC's old-line businesses offset the manufacturing loss last year. GAC earned $5.1-million from its finance operations, plus $3.7-million from its life insurance business and another $2-million from its casualty insurance business.

Land profits. The big field now, of course—in terms of growth and of profits—is land. Around 60% of GAC's profits for 1969 are expected to come out of Gulf American—still another troubled situation that GAC is turning around.

Gulf American always was a giant among land companies. It had 560,000 acres either developed or under development in Florida—making it that state's biggest land outfit—plus 55,000 more near Tucson, Ariz., and holdings in New Mexico, Utah, and British Honduras.

But, Gulf American let its operation get out of hand. Selling expense—a benchmark of profitability in the land business—had reached a horrendous 47% of sales a couple of years ago. On top of that, Gulf American got into trouble with the Florida Land Sales Board. Accused of such sleazy practices as switching lots on buyers, and selling the same lot to more than one buyer (a practice known in the trade as "double decking") it was suspended from selling land for a month in December, 1967. Subsequently, it had to wait almost six months for the board to register for sale some 15,000 acres at its various properties.

Fringe benefits. GAC took over Gulf American's operations in late 1968, even before the deal to acquire the company was closed. Bit by bit, it has been bringing Gulf American back into line. Selling expenses have been brought back to 30% of sales, and fewer sales are being canceled by buyers these days. Gulf American lost $1.6-million in 1968 but earned $9.6-million in this year's first half. Drexel Harriman Ripley now reckons that Gulf American will earn $23-million to $25-million this year, on $180-million in sales.

Moreover, there have been some nice fringe benefits from the deal. Gulf American, for instance, is developing what will become the world's largest mobile home park—6,000 home sites near Melbourne on Florida's east coast. One of GAC's more profitable businesses is financing mobile home purchases.

Deseret Farms was mostly swamp land when the Mormon Church, through its wholly owned subsidiary, Zion Securities Corp., bought the tract in 1950. GAC plans to put that site to residential, commercial, and industrial use. Wrapping up the deal has been held up for several months while Zion Securities waits to see whether it can take a capital gain on the sale.

Oriented. GAC says it finds itself right at home in the land business. "After all," says Strothman, "the guy who buys land is the same consumer we've been dealing with all along. It just so happens that historically, finance companies have not been involved in the land segment of the finance business."

Finance companies haven't done much building either—another field GAC is starting to sink its teeth into. "Construction," says Reichardt, "is an important part of the real estate business and we should be in it." To get started, GAC recently formed a new subsidiary, GAC Realty Corp., which will operate independently of Gulf American. Earlier this summer, it paid around $4-million in cash to buy the Miami contracting firm of Robert L. Turchin, Inc., which has built many of Miami's hotels and apartments buildings.

Even the Wall Street building—actually at 130 John Street—in which GAC is a partner—figures in the company's plans. Since it was started, GAC has operated out of Allentown. Now Wills figures it's time to move to a bigger pond. So GAC will soon shift its headquarters to John Street. **End**

THE WALL STREET JOURNAL,
Thursday, January 22, 1970

Housing Gloom

Home Builders Expect The Decline in Starts To Persist This Year

Soaring Costs, Tight Money Make Medium-Price Units Rare in Much of the U.S.

Cheering On the Recession

By ERIC MORGENTHALER AND JAMES TANNER
Staff Reporters of THE WALL STREET JOURNAL

HOUSTON — If you're looking for a new house this year, it would help to be either poor or affluent. If you fall somewhere in between, you'll find the pickings slim.

Average-income Americans who want new homes may well have to settle instead for apartments or mobile homes. The reason: Few modest single-family houses are being built these days, and their prices are soaring. Moreover, in these tight-money times it's very hard to finance a house in many areas even if you find one.

Only if you're poor enough to qualify for Federal housing subsidies or well-off enough to afford a stiff down payment and high interest rates do you stand a reasonable chance of finding a new house within your means.

This less-than-cheerful picture emerges from a broad sampling of builders, construction analysts and materials suppliers gathered here this week for the annual convention of the National Association of Home Builders (NAHB).

Less Product, Higher Price

"The housing crunch is going to get worse before it gets better," sums up Nathaniel Rogg, executive vice president of the 51,000-member association. House hunters lucky enough to find a friendly mortgage lender this year, adds John Lynch, a Wall Street construction analyst, "will have less product to choose from, because builders are cutting back, and they will be paying 30% more than three years ago."

The number of housing starts is the key indicator of how home-building is doing—and the news at the moment is all bad. The seasonally adjusted annual rate of housing starts plummeted 34% from 1.9 million in January 1969 to 1.3 million starts in December. The actual number of starts in all 1969 was 1,463,000, a decline of 3% from 1968.

Indications are that starts are continuing to skid this month. Indeed, some estimates put total starts for all 1970 at one million units or less, the lowest level in more than 20 years.

Generally, however, economists and other housing observers agree with the NAHB official forecast of around 1,261,000 homes and apartment units for 1970, down some 200,000 from 1969 housing starts. A much more optimistic forecast came late yesterday from New Jersey builder Louis R. Barba, NAHB president. Following a discussion of the housing plight with President Nixon, he said housing starts could rise possibly to 1.8 million this year. Even at this rate, construction of residential units will fall far short of the 2.6 million average annual starts estimated by Government housing experts as the minimum necessary to provide adequate residential accommodations for the nation.

Help for the Poor

To be sure, there are hints of some bright spots in the housing outlook. Massive new Government-subsidy programs aimed at housing the poor are attracting increasing numbers of builders into the construction of apartments and homes for families whose incomes don't go beyond an upper range of $5,000 to $7,000 a year.

There also is some hope of a turnaround, possibly beginning as early as midyear, in the generally stagnant construction of homes in the popular $20,000-to-$40,000 price range. But builders point out that even a dramatic increase in starts at midyear wouldn't have any noticeable effect on the availability of houses until late this year or early 1971.

A few builders say they're actually planning to build more homes in the middle price range than they did last year. But these are mostly high-volume builders with far better access to mortgage money than the typical home builder. Many also are capitalizing on purely local situations where mortgage money is more readily available than it is in most areas.

An 80% Sales Gain

In Florida, for example, some savings and loan associations still make new loans on new houses at rates as low as 8¼%, compared with a national average of around 9% for conventional mortgages. (The maximum on Federally insured mortgages currently is 8½%.) Thus, 1st Development Corp. of America in Sarasota, Fla., currently is building 100 homes priced between $25,000 and $80,000, has doubled its advertising budget for 1970 and expects an 80% sales gain this year, says Charles H. Parr III, vice president and general manager.

The Larwin Group, a subsidiary of CNA Financial Corp., plans to build some 3,500 houses in 1970, up nearly one-third from 1969 volume, says Michael L. Tenzer, senior vice president. Levitt & Sons, the home-building giant that's now a subsidiary of International Telephone & Telegraph, plans to build 10,000 to 11,000 single-family houses and multifamily units this year, up from around 8,000 in 1969.

But these companies account for only a tiny percentage of total U.S. home building. Both Larwin and Levitt belong to an organization called the Council of Housing Producers, whose 15 members built 41,729 housing units in 1969 and project an increase to 55,684 units in 1970. But this won't amount to more than 4.5% of total units this year, and these builders are generally as pessimistic about the overall housing situation as are smaller builders.

Most houses are built by small contractors who put up less than 100 units a year, and it is among these builders that the construction cutback is most severe. Typical is Fred Hunt, a Little Rock, Ark., contractor who built only six houses last year, down from 20 the year before. He currently has only one house for sale—for $40,000—and he says he won't start any new ones until he sells that.

Some builders are abandoning all middle-income housing construction. Carl Mitnik, a Somers Point, N.J., builder, says, "I'm going to go into low-income housing entirely. There's no

Please Turn to Page 8, Column 2

Housing Gloom: Home Builders Expect Downturn to Persist

Continued From First Page

room to take care of the middle-income fellow any more."

If the trend continues, the nation faces an acute housing shortage unmatched since the post-World War II days when millions of returning veterans scrambled for homes. Formation of new households, demolition of deteriorating older homes and pressure from families that have outgrown their present homes all are combining to fuel a growing demand for houses.

Lowest in a Decade

Yet housing starts last year dropped about one-third from the 1965 level. Secretary George Romney of the Department of Housing and Urban Development says the nation's housing vacancy rate is the lowest in a decade. The rental vacancy rate, he says, is down to an extremely tight 1% in urban areas like Chicago and New York. He contends the nation is short 2.6 million housing units.

Practically everybody agrees that the scarcity of mortgage money is the key problem. The Government's anti-inflation efforts have led to an increasing shortage of loan funds, combined with skyrocketing interest rates for money that is available. "Home builders have repeatedly learned that they are the first casualties in the battle against inflation," says Richard M. Wasserman, president of Levitt. "And that battlefield is strewn today with the bodies of bankrupt builders."

Factors other than tight money are also contributing to the housing slump, however. Chief among these, builders say, are higher land and labor costs that keep driving the prices of the houses higher.

$3-an-Hour Raise

Builders say labor costs are rising as much as 15% annually. "Labor costs are the governing factor," contends Al Brawn, vice president of a Jacksonville, Fla., construction concern. His company is negotiating currently with carpenters who are demanding a $3-an-hour raise, plus substantial new fringe benefits, over the next three years. They now make a top scale of $6.92. In many other areas, carpenters already make $8 to $10 hourly.

Rising costs of land are equally important. Ernest Comeau, a Weston, Mass., builder, says a typical lot in his area now is priced at $25,000 to $30,000, ruling out all but very expensive homes. The ones he builds, for instance, are priced at $100,000 to $450,000. Salt Lake City builders are appealing to zoning officials to permit them to build on lots as small as 3,000 square feet (roughly 35 feet by 85 feet), compared with the customary 8,000-square-foot lots. Around the country, there is a growing trend to increased density of occupancy, largely because of inflated land values, with builders switching from single-family dwellings centered on spacious lots to townhouses, condominiums and apartments.

Though many economists believe a recession is imminent—or, indeed, already here—builders foresee little effect on construction costs. Interest rates might drop some, says a big Dallas builder. "I don't think we'll ever see interest rates go back to 5% or 6%," he says, "but if they just leveled off at 8% or 8½% and down payments dropped from the current level of around 30%, more people could afford houses."

Nonetheless, builders expect that a recession would mean the availability of more mortgage money—and many are actually rooting for a recession. Watching economic indicators closely, they have been heartened by an apparent halt in real growth of the Gross National Product in the 1969 fourth quarter. "If these indices remain static for two quarters in a row, we are in a recession," says a major Seattle-based builder. "I suspect that will happen," he adds, "and then the Administration perhaps will unscrew the monetary restraints a little."

How long would it be before an easing of monetary restrictions would be felt by the home-building industry? At least 10 months, suggests Michael Sumichrast, chief economist for the NAHB. As far as 1970 housing starts are concerned, he adds, "the die is cast, and it's too late to do anything about it."

MEMO FROM THE DESK OF:

Moreland G. Smith

30 Jan 70

Paul:

I would hope that SRC could always be represented in discussion by staff - Preferably you but if not by a senior staff person with Art Campbell (for exposure)

Moreland

Emory:
This is what I mentioned to you Sat Monday

File — Housing & Planning
RDC —

National Corporation for Housing Partnerships
1625 L Street, North West, Washington, D.C. 20036 Tel: (202) 638-6840

Carter L. Burgess
Chairman/Corporation

Ray A. Watt
President/Corporation

December 26, 1969

Mr. Paul Anthony
Executive Director
Southern Regional Council
5 Forfyth Street, N. W.
Atlanta, Georgia 30303

Dear Mr. Anthony:

Mr. John Wheeler and I thought you would be interested in seeing a copy of our Preliminary Prospectus which was filed with the SEC last week. As you may know, the National Housing Partnership was established pursuant to a recommendation by the President's Committee on Urban Housing and Title IX of the Housing and Urban Development Act of 1968. Pursuant to the 1968 Act the President of the United States appointed sixteen individuals to serve as incorporators and initial directors of the National Corporation for Housing Partnerships, to establish the National Housing Partnership with the Corporation as general partner and to arrange the Venture's initial public offering.

We believe that the Corporation can carry out important activities related to the development of housing for low and moderate income families. We hope to work closely with community groups, non-profit housing sponsors and others interested in producing such housing. We would very much like to meet with you in Washington sometime within the next two weeks to discuss the Partnership in more detail and to review how we can cooperate with your organization in a variety of ways. We will be contacting you shortly to arrange such a briefing meeting and lunch here in Washington.

Sincerely,

Carter L. Burgess

Enclosure

INCORPORATORS:
Edgar F. Kaiser, *Chairman*
Ernest C. Arbuckle / Carter L. Burgess / Donald C. Burnham / Edward J. Daly / Edwin D. Etherington / William A. Hewitt / James J. Ling
John L. Loeb / Everett Mattson / George Meany / Andre Meyer / David Rockefeller / Stuart T. Saunders / Leon N. Weiner / John H. Wheeler

RDC
Housing & Planning

10:30 A.M. Thursday lunch
1133 15th St
Rm. 720

February 9, 1970

Mr. Carter L. Burgess
National Corporation for
Housing Partnerships
1625 L Street, N. W.
Washington, D. C. 20036

Dear Mr. Burgess:

At our Executive Committee meeting last week, Mr. John Wheeler raised the question of whether or not the National Corporation and SRC had gotten together. This was a reminder to me that I had shared your letter with several members of the staff, particularly those interested in housing, and that neither had I acknowledged it or heard from you further.

Please know we are very interested in your program and very anxious to cooperate in any way possible. I do look forward, af the earliest opportunity, for several of us at the Council to meet with you.

With best wishes,

Sincerely yours,

Paul Anthony
Esecutive Director

PA:js

cc: Mr. John Wheeler

(Enclosure to Mr. Wheeler: xerox of Mr. Burgess' letter.)

National Corporation for Housing Partnerships
1625 L Street, North West, Washington, D.C. 20036 Tel: (202) 638-6840

Carter L. Burgess
Chairman/Corporation

Ray A. Watt
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MS, AC,

THE WALL STREET JOURNAL, Tuesday, February 24, 1970

Romney Expected to Back S&L Subsidies In Program to Shore Up Housing Industry

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON—The Nixon Administration is scheduled to tell an anxious Congress today how it hopes to shore up the rapidly sagging housing industry.

Although many details were still being nailed down during the long weekend, Housing Secretary Romney's testimony to the House Banking Committee is expected to include endorsement for a Treasury subsidiary on borrowing by savings and loan associations and creation of a secondary market operation in conventional private mortgages.

With private-housing starts having plummeted to a seasonally adjusted annual rate of 1,166,000 units in January from 1,878,000 a year earlier, officials think the only trouble their proposals might face is rivalry from more radical Congressional alternatives, such as forcing the Federal Reserve Board and pension funds to buy mortgages.

For fear such schemes would be inflationary and disruptive of the existing mortgage system, the Nixon Administration is striving to sell Congress on improvements of modest cost that they say could bring disproportionately big returns.

Two Steps Decided Upon

And at least two costless steps have already been decided upon, officials told the Banking Committee Friday. To cut the competition their high-paying securities pose to the limited interest rate that S&Ls can pay, Preston Martin, chairman of the Federal Home Loan Bank Board, and Allan Oakley Hunter, president of the Federal National Mortgage Association, said they would shortly increase the minimum denomination of their agencies' securities to $10,000 from the present $5,000.

The S&L subsidy plan being drafted, Chairman Martin said, would have the Treasury provide up to $300 million "over the next several years." With this sum, he said, the interest rate that the 12 district Home Loan Banks charge on advances to S&Ls would be reduced by one percentage point below "what would otherwise be" the rate. "For every dollar spent in this way," he testified, "the result could be as much as a $15 to $20 increase in mortgage lending."

The reasoning, an industry source explained, is that without the rate relief, S&Ls would stop borrowing supplementary funds from the FHLB system because the cost—now as much as 7.75%—would be more than they can afford. If the advance rate went to 8% or higher, he said, "our people just wouldn't borrow," as their return on older lower-rate mortgages wouldn't cover the cost. And if they did borrow such costly funds, he added, Congress "wouldn't like it" because they'd have to jack the rates they charge on new mortgage loans to 9% or so.

Borrow and Relend

If the subsidy plan is adopted, sources said, the bank system might borrow, say, $1 billion at 8% on the open market, for an annual interest cost of $80 million. With $10 million of the subsidy money, the $1 billion could be relent to S&Ls at 7% thus costing them $70 million a year. If S&Ls kept the $1 billion in advances for five years, during which the subsidy would amount to $50 million, the 20-to-one ratio would result because they'd have $1 billion more than otherwise with which to make mortgage loans.

If put into practice promptly, Mr. Martin and aides explained, the one-percentage-point subsidy probably would mean only a half-percentage-point outright reduction in advance rates. The 7.75% charged by some of the banks currently is about half a percentage point less than their own costs of borrowing, they explained, so that a one-percentage-point subsidy would mean reducing the rate to 7.25% instead of letting it climb to 8.25%.

If Congress allows the funds, Mr. Martin promised that the Bank Board would act "the next morning at 9 o'clock." Advances at the reduced rate would be offered to an S&L, he said, only if they would be in addition to its already outstanding advances, thus assuring they'd be used for expansion of the S&Ls mortgage lending and not for refinancing old advances. Over a period of time, Mr. Martin said, the subsidy "would be spread over advances of $5 billion to $6 billion."

A "far-reaching" proposal being drafted, he also reported, would clarify the board's power to set up "a secondary mortgage market in conventional as well as Federally underwritten mortgages." The bank system would "issue notes, bonds and other obligations" to raise funds, he said, which it would use to purchase and "warehouse" loans especially from those S&Ls that are reluctant to borrow money from the district banks. When "fully active," Mr. Martin said, this could mean purchase of up to $2 billion of mortages a year, leaving the selling S&Ls with enough cash to finance about 80,000 extra homes annually.

Unresolved at the weekend was whether the Administration would give its blessing to the Bank Board plan, or would favor having the Federal National Mortgage Association expand its secondary market dealings—now limited to Government-backed loans—to the much bigger field of conventional loans. Mr. Martin and Mr. Hunter agreed to supply written arguments on behalf of their respective agencies.

Without any new legislation, Mr. Martin reported, the Bank Board and Home Loan Banks plan a consortium that will purchase and pool $200 million of Government-backed loans from S&Ls, and issue against them mortgage-backed bonds guaranteed by the Government National Mortgage Association. The issues are designed to be "attractive to pension funds and or the lenders who do not find it advantageous to originate or purchase mortgages directly," he said.

Active Support Planned

Fannie Mae plans active support of the market for Federal Housing Administration-insured and Veterans Administration-backed loans in 1970, Mr. Hunter testified. Commitments will likely run between $6 billion and $8 billion, he said, compared with $6.5 billion in 1969. And actual purchases, he said, are estimated as climbing to $6 billion from last year's $4.2 billion, even assuming "an abatement of inflationary pressures, a moderate decline in interest rates, and some reentry of traditional investors in the mortgage market."

In making its massive commitments, Mr. Hunter conceded, the Government-sponsored, stockholder-owned corporation "has taken considerable risks." The net yields on mortgages recently purchased, he said, "have been running below the current cost of borrowed money."

Eager as they are to hear the Administration's proposals, Banking Committee Chairman Patman (D., Texas) and such members as Congresswoman Sullivan (D., Mo.) appear sure to continue pushing proposals of their own that Administration men have been resisting. These include bills that would require private pension funds to acquire a specific amount of mortgages on pain of losing favorable tax treatment, call on the Federal Reserve to purchase housing agency securities directly from the issuer with newly created money, and cre-

MS-AC

Hung-Up Housing

Detroit's Try at Breakthrough in Building Reels From Snafus and Alleged Mafia Tie

By NORMAN PEARLSTINE
Staff Reporter of THE WALL STREET JOURNAL

DETROIT—Three years ago, Walter Reuther quietly embarked on a project that soon showed promise of making him the Henry Ford of the housing industry. He sought to demonstrate that low-cost, comfortable homes could be turned out on assembly lines, just like cars.

His ideas caught the attention of Walker Cisler, a Detroit industrialist, and won the financial and managerial support of the auto capital's business community. Top officials of the "Big Three" auto companies agreed to serve on the board of the newly formed Metropolitan Detroit Citizens Development Authority. George Romney, Secretary of Housing and Urban Development, who was Republican governor of Michigan at the time, got excited about the project, and the MDCDA eventually became the model for "Operation Breakthrough," the Nixon Administration's national low-cost housing program.

Now, the Detroit prototype languishes. Although more than $2,650,000 has been spent, only 62 dwelling units are occupied. Assembly-line techniques have yet to be proven. One black builder the MDCDA helped get into business has quit working for the authority. Another builder who won the authority's national low-cost housing design competition has been linked with an alleged member of the Mafia and is in such serious financial straits that the company has stopped building houses.

And the rapport and respect the authority was gaining in the black community and among professional builders is fading because of snafus and slow progress. "Several black leaders who have dealings with MDCDA have come to realize that it is an exercise in futility," says Haywood Wilson, a former president of Detroit's chapter of the Congress of Racial Equality.

"MDCDA's reputation is horrendous and their progress, or lack of it, is a joke," says one of Detroit's major builders, who asks anonymity. Jack Wood, executive director of the Detroit Building Trades Council and a critic of factory-built housing, says "some of the most powerful people in the world sit with me on the MDCDA board. They are in a trap and don't know how to get out of it."

Optimism at the Authority

The MDCDA, of course, may yet prove itself. It has hundreds of housing units in various stages of construction, and thousands more are on the drawing boards. It is shaping ambitious plans for a racially and economically integrated "new town" in a Detroit suburb that, among other things, would give black factory workers a chance to live near their suburban jobs. And Edward J. Robinson, the MDCDA's optimistic executive director, declares that the authority has accomplished more during the last year "than any other nonprofit organization in the country and more than any other city or state government program in the country."

Nevertheless, many observers believe that its experience so far demonstrates how difficult it is to stage a revolution in the building industry, even when the effort has high-powered support from the industrial establishment and the second biggest labor union in the country. The revolution in Detroit has snagged on a bizarre series of human foibles: Gambles on concepts and promoters that didn't pay off, miscalculations on costs and the inexperience of staffers in technicalities of building industry red-tape.

The MDCDA originally was incorporated in late 1966, but didn't really get going until after the Detroit riots in the summer of 1967. It gathered important support from the business community (the original slate of officers included James Roche, Henry Ford II and Lynn Townsend, the men that now run the "Big Three" auto companies. Mr. Roche still regularly attends executive committee meetings.) It got money from New Detroit, the post-riot urban coalition.

It got enthusiasm, push and a set of ambitious goals from Mr. Reuther, president of the United Auto Workers union and the acknowledged father of the MDCDA. He and some of his UAW aides took nearly a week to draw up the authority's bylaws and draft its statement of purpose. Even during the 1967 labor contract negotiations, he was always available to MDCDA staffers. One time, he even kept his entire international executive board waiting for several minutes while he studied details of a bathroom plan with members of a building company that was working on an MDCDA project.

By the summer of 1968, the housing venture in Detroit was in high gear. Staffers were working on 17 projects with a total of 3,436 units and calculated that almost all of them would be under construction by early 1969. Meanwhile, the authority was moving toward important changes in Detroit's building code and it was launching its national competition for innovative low-cost housing.

Problems Pile Up

But then, one thing after another went awry. Some of its problems stemmed from high interest rates, increased construction and labor costs and strikes—and were no fault of its own. The MDCDA also was hurt by a recent decision of the Federal Housing Administration that boosted the maximum cost of houses eligible for financing under its subsidy programs to $21,000 from $17,500. The ruling has made the MDCDA's low prices less attractive to builders. And one MDCDA director close to Mr. Reuther thinks the authority's decision to "involve community groups in every phase of the housing development has slowed us down considerably."

But many other major problems were of its own making. For one thing, the MDCDA deliberately sought to keep its thinking free from the "conventional wisdom" of the building industry, so it didn't invite any home-building experts to sit on its executive committee. Its staff was filled with novices, including the executive director, Mr. Robinson, a former state senator with almost no experience in building. "We were really pulling people in off the streets in the beginning," he concedes.

The inexperience has hurt in many ways. When the MDCDA sought bids for its design competition in late 1968, it sweetened the competition by offering a construction contract for 800 units to the winner and promised to provide cleared sites as part of the package. But some put up by Peerless Manufacturing Co., Fort Worth, Ind., a subsidiary of Toona Inc. About a week before the winner was announced, Peerless was placed in receivership. Two Peerless officials and a suburban Detroit builder who participated on the MDCDA application with Peerless set up Prebuilt.

The next day, the MDCDA, in announcing Prebuilt the winner, called Prebuilt "a corporation to be formed as a successor to Peerless." There was no mention that Peerless was in receivership. A few weeks later Peerless was thrown into bankruptcy, and the trustee in bankruptcy now says he intends to find out "whether the MDCDA contract and other Prebuilt assets really belong to Peerless."

Neither Prebuilt nor MDCDA officials expect any possible claims by the Peerless trustee to stand up in court. But that possibility is only the least of Prebuilt's troubles. They started to snowball about a month after Prebuilt got the MDCDA contract. In desperate need of capital, Prebuilt agreed to sell an 81% interest in itself to Intercontinental Industries Inc. of Dallas.

Intercontinental Industries is an operating vehicle of S. Mort Zimmerman, a Dallas promoter. It has interests in a diversified manufacturer and in 1968 picked up control of Valley Die Cast Corp., an auto supplier, from Michael (Big Mike) Polizzi, who continued as Valley Die's president. Mr. Polizzi was named in 1963 Senate hearings as a ranking member of the Detroit Mafia, and Valley Die was named one of the "legitimate businesses owned, infiltrated or influenced by the Mafia"—allegations that Mr. Polizzi vehemently denies.

Intercontinental made bold statements about its new acquisition. Various press releases said Prebuilt had orders "in various stages of approval" for $130 million in modular housing, including the MDCDA order. "The potential figures both as to sales and earnings (of Prebuilt) are staggering," one release stated. As Intercontinental Industries' stock more than doubled in three months, the press releases about Prebuilt attracted the attention of both the American Stock Exchange and the Securities and Exchange Commission. Ultimately, American exchange trading was banned in Intercontinental, the SEC filed civil suit alleging fraud against Intercontinental and Prebuilt, and the exchange sought delisting of Intercontinental.

Intercontinental is still contesting the delisting move before the SEC. And the SEC suit has been settled through an agreement under which Intercontinental, Prebuilt and two officials of each company agreed not to make any false or misleading statements about Prebuilt in the future; they didn't admit the charges.

Mortgages Held Up

But in the interim, Mr. Polizzi's possible connections with the Mafia have caused further difficulties for the MDCDA. The Justice Department has been investigating those possible ties, and pending completion of the investigation, the FHA has held up all of Prebuilt's mortgage applications. Under its contract with the MDCDA, Prebuilt must arrange FHA fi-

WORDEN & RISBERG

The MDCDA, of course, may yet prove itself. It has hundreds of housing units in various stages of construction, and thousands more are on the drawing boards. It is shaping ambitious plans for a racially and economically integrated "new town" in a Detroit suburb that, among other things, would give black factory workers a chance to live near their suburban jobs. And Edward J. Robinson, the MDCDA's optimistic executive director, declares that the authority has accomplished more during the last year "than any other nonprofit organization in the country and more than any other its own. The MDCDA also was hurt by a recent decision of the Federal Housing Administration that boosted the maximum cost of houses eligible for financing under its subsidy programs to $21,000 from $17,500. The ruling has made the MDCDA's low prices less attractive to builders. And one MDCDA director close to Mr. Reuther thinks the authority's decision to "involve community groups in every phase of the housing development has slowed us down considerably."

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At least one builder says he shunned the competition because it seemed to him that the MDCDA was too inefficient to come through with the cleared sites. The MDCDA sought bids from 40 builders, but got them from only three. (Authority officials say many companies stayed away from the competition because they feared building trade union opposition to it.)

Site clearance problems are still plaguing the MDCDA. Redman Industries Inc., a Dallas company that placed second in the competition and got a contract for 200 units, recently threatened to withdraw from its commitment. Sources close to Redman say its management became frustrated over the slowness of the MDCDA in providing cleared sites. Redman has agreed to stay on, but won't be able to deliver any houses before next November, 20 months after its original contract award. Sources say that when Redman was faced with delays, it was forced to sell units originally planned for the MDCDA to other customers.

Costs Underestimated

In its enthusiasm to promote low-cost housing, the MDCDA has underestimated costs on some projects. One involved a new concept in single-family homes that could be slipped into scattered sites from a truck. To spur the concept, the MDCDA helped LeBon Walker, a black former auto accountant, get into business as a builder. The expectation was that the houses could sell for $10,800 each. Veteran builders say they looked at the plans and concluded they couldn't be built to sell for less than $15,000.

Mr. Walker now says they will have to sell for $16,000 or more. He has dropped out of the MDCDA program, and is selling the houses privately because he says he can make more money in the open market. His departure has left the MDCDA with 225 building sites scattered across the city.

But the MDCDA's biggest problems so far have stemmed from its decision to award a $12 million building contract to Prebuilt Homes Inc., a company without a factory and with meager resources but with a desire to go into the modular home business and an impressive design concept. The MDCDA, in fact, is still reeling from the ramifications of that decision.

Prebuilt got the contract as the winner of the MDCDA's national low-cost housing design contest. That competition sought new ideas, and the judges, who were representatives of community groups, architects and a real estate manager, placed 60% of their stress on "livability," 25% on the price per unit and 10% on the willingness of the winner to put up a housing factory in Detroit. The applicant's financial and organizational strength counted for only 5%, says Mr. Robinson. "Almost everyone thought the Prebuilt unit was by far the most livable," he adds.

Some officials of the MDCDA, including Mr. Robinson, were concerned from the start about the winner's ability to perform under the contract. But a gamble was taken to go with Prebuilt because of its snappy design. It was a monumental gamble.

For Prebuilt was organized last March 14, the day before it was named winner of the design contest. The winning prototype units were

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3-9-70

Wall Street Journal 2-27-1970

Housing Agency Picks 22 Concerns to Build Models Utilizing Best of Existing Methods

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON—The Department of Housing and Urban Development named 22 winners in the competition to build prototype housing systems under "Operation Breakthrough," the Nixon Administration's major effort to solve the nation's housing problems.

More than 2,000 model housing units for all income levels will be built by the companies on 10 previously announced sites, Housing Secretary Romney said at a press conference. Construction is expected to start this summer, Mr. Romney said, and the units will be added to the nation's housing supply within "a year or two."

Operation Breakthrough seeks to achieve volume production of housing by encouraging state and local officials to aggregate large land areas and by stimulating new cost-cutting housing technology. About 236 housing producers initially entered the technological competition. This number was reduced to 37 last December, and yesterday the 22 final winners were announced.

Winners Are Listed

The winners and their headquarters are Aluminum Co. of America, Pittsburgh; Ball Brothers Research Corp., Boulder, Colo.; Henry C. Beck Co., Atlanta; Boise Cascade Corp., Boise, Idaho; Christiana Western Structures, Los Angeles; Descon-Concordia, Montreal; Forest City Enterprises Inc., Cleveland. General Electric Co., Philadelphia; Hercules Inc., Wilmington, Del.; Home Building Corp., Sedalia, Mo.; Keene Corp., New York; Levitt Technology Corp., Lake Success, N.Y.; Material Systems Corp., Washington, D.C.; Module Communities Inc., Yonkers, N.Y.

National Homes Corp., Lafayette, Ind.; Pemtom Inc., Bloomington, Minn.; Republic Steel Corp., Youngstown, Ohio; Rouse-Wates, Columbia, Md.; Scholz Homes Inc., Toledo; Shelley System, San Juan, Puerto Rico; Stirling-Homex Corp., Avon, N.Y.; TRW Systems, Redondo Beach, Calif, an operating group of TRW Inc.

The total cost of the awards hasn't been determined, Mr. Romney said, but the amount of money involved in each contract will be disclosed as final contracts are negotiated with each of the winners.

Other Technology Under Study

The 22 winning proposals amount to the best of existing technology, the Secretary said. Still being studied are 365 proposals covering more advanced technology; winners in this category will be announced in a few weeks.

Mr. Romney said yesterday's winning proposals all employ, to varying degrees, industrialized techniques ranging from complete production of modules in a factory, to on-site assembly of completed panels and other components, to on-site poured concrete systems. "Taken together," the Secretary declared, "these systems accelerate the introduction of the industrial revolution for the production of homes."

In appearance, most of the systems are conventional, which Mr. Romney said "is necessary to contribute to current marketability and consumer acceptance." Seven of the systems use concrete, six use wood, five use metal as structural framing, two use plastic foam-core panels or modules and two utilize plastic fiberglass materials. "As a group," the Secretary said, "this represents a (switch) from potentially scarce wood to the innovative use of concrete, metal and plastic systems."

Innovations Highlighted

Mr. Romney mentioned these innovations:

—Material Systems and TRW Systems will build plastic fiber glass systems, each using a different technique. The Material Systems technique involves spraying a mixture of glass fiber, resin and sand onto a mold to form a wall-size panel; the TRW process winds fiber glass cloth and other materials over a large revolving core to produce modules.

—The Keene system involves an innovative configuration that would, in a sense, "create land" in the dense inner-city. At intervals of three stories, concrete platforms are constructed on which dwelling units are placed in a manner that leaves walking space in the front and garden space in the rear, advantages similar to those of ground-level units.

—The Shelley System method offers two advanced techniques. It utilizes complete precast concrete modules and stacks them in an unusual checkerboard manner to create additional usable space and to lower costs.

—Other proposals offer innovative subsystems. These include water-conserving vacuum toilet systems by National Homes; wall-length plywood with glass fiber surface, to avoid plaster and dry-wall seaming problems, by Christiana Western, and totally self-contained mechanical systems for different zones of the house by Republic Steel.

Mr. Romney said most of the selected producers will build their prototype housing units on at least two sites, and all sites will contain a variety of housing types and price levels. "We don't want these units to be identified as units for the poor," he emphasized, "because they are not just for poor people but for all income levels."

The 10 sites, previously announced, are Houston, Indianapolis, Jersey City, Seattle, Memphis, St. Louis, Wilmington, Kalamazoo, Mich., Macon, Ga., and Sacramento, Calif.

Housing & Planning (copy to M. S. & A. C.)

ENGLAND'S NEW TOWNS

By Anne Woodward Corrigan

A thatched roof pub and a few houses now comprise the English village of Milton Keynes. If all goes according to plan, however, by the turn of the century it will be a complete new city of 250,000 people. Milton Keynes is the newest bud on England's now old growth of new towns. Like most other English new towns, it is part of a concerted effort to solve a problem that also troubles the United States: Too many people and too few adequate dwellings in the older major cities.

Building in Milton Keynes, at the rate of 2,500 houses a year, is expected to begin soon. Average density will be eight dwellings to an acre—low for England but high by American suburban standards. Milton Keynes will be no glass-spired dream city. Its planners have dismissed skyscrapers as uneconomical. A monorail system, once seriously considered, was ruled out as impractical.

But England's newest new city—the first postwar town to be built to a large extent through a "private enterprise" system—has lofty social goals. Among the most notable is to make available in the new community jobs for all the people who live there. Residents could, if they desired, commute to jobs elsewhere. But the goal is to make it possible for all who wish to work as well as live in the city to do so.

Employment patterns and policies and their impact on other aspects of life have figured heavily in the planning of Llewelyn-Davies, Weeks, Forestier-Walker, and Bor, the British architectural firm handling Milton Keynes. (The same firm is making studies which will lead to a master plan for two U.S. new towns, one to be called Amherst, near Buffalo, N.Y., and a second, as yet unnamed, near Racine, Wis.) To the usual array of building, landscape, transportation, and land-use experts have been added a sizable group of demographers, sociologists, and economists. They are considering the problems of people and how they wish to work, travel, shop, and use their leisure time. They are considering, for example, the different uses of leisure which may come with a shorter workday or shorter workweek. They have noted the increasing employment of women, and the resultant need for child care centers and part-time jobs located close to home.

The planners of Milton Keynes hope to avoid the growing pains which have plagued other English new towns. And since England has been a leader in the development of these communities, they have a wealth of experience upon which to draw. Letchworth and Welwyn Garden, which date to the early 1900's, served as prototypes for the spate of new towns established after World War II. Each was laid out with a town center, neighborhoods with small shopping centers of their own, and industrial sites located along rail lines.

England's New Towns Act of 1946 launched a ring of communities outside the 5- to 10-mile stretch of undeveloped land (the green belt) that encircles London. The aim of the new towns was simple—to relieve congestion in London by making it possible for the poor to find better homes and jobs elsewhere.

Development Corporations were appointed by the government to buy land within each designated new-town area, construct housing, and develop the town. The corporations are empowered to borrow money from the national treasury at the going rate of interest (currently 9½ percent), to be repaid in 60 years. Their financial success varies. Stevenage, first new town constructed after World War II, was making a profit in only 6 years. When development is complete, a new body, the Commission for the New Towns, takes over.

Over the years the role of private enterprise in new towns has grown. As the development corporations, using government money, proved that the new towns could be a financial success, more private investment has come in for shops, industry, and housing. But the government continues to be a major factor. Sir Frederick Osborn, one of the leading advocates of new towns in Britain in the early postwar years, says:

"We must marry private enterprise to government control. The future is in the mixed economy."

Few of the towns were totally new. Most had at least a nucleus of houses—some, even shops or industry. Industries were given special inducements to locate in them, instead of in already compacted cities. Established industries in London were encouraged to move to new towns, with the government having the final say about what industries would go where. Initially, it was hard to lure firms to new

Mrs. Corrigan, a member of the Manpower Administration information staff, is spending a year in Europe studying new towns under a Department of Labor fellowship.

PAGINATION INCORRECT

RDC— Housing & Planning

March 3, 1970

MEMORANDUM

TO: Paul Anthony

FROM: Emory F. Via, Director, Resources Development Center

- o -

Regarding the proposal to the National Foundation on the Arts, the National Foundation is an independent federal agency created by an Act of Congress. It receives funds by appropriation and by gift. Grants made to private organizations may be given only if such organization is non-profit according to IRS standards.

The national endowment accepts the accounting proceedures of the grantee organization so long as those proceedures are normally acceptable in the business world.

It does not require a special accounting proceedure. The grant may be audited by a staff person from the national endowment. A grant from them, as is the case in all ~~gift~~ grant expenditures is subject to the possibility of an audit from the general accounting office.

We are asking for what they call a group grant and for the maximum amount which they will give, $10,000.00. Equivalent matching funds by the receiving institution is required. The proposal needs to be executed within one year.

At least one progress report at an appropriate time during the project is required as well as a final report at its conclusion. Proposals will be evaluated by "experts from various environmental design fields to ~~issue~~ insure excellence, objectivity and scope. The National Council on the Arts will make the final determination subsequently."

The announcement of these grants includes: "the endowment recognizes the need for freedom and flexibility in the pursuit of creative work. Clarity and precision in the proposal statements, therefore,

is not to be interpreted as an attempt to constrain creative freedom. Rather it is to facilitate comparison with other proposals for purposes of selection."

The problem is that if we are to submit this proposal it needs to be post marked "not later than March 6."

EFV/km

March 10, 1970

MEMORANDUM

TO: Art Campbell
FROM: Emory F. Via

- o -

I think a copy of this publication sent to each state council on human relations, with a note from you and/or Moreland, simply saying you thought they would be interested in knowing the publication is available, would be useful.

EFV/km

New folder

RDC – Personnel

JOHN H. WHEELER, PRESIDENT
JOSEPHINE WILKINS, VICE-PRESIDENT
PAUL R. CHRISTOPHER, VICE-PRESIDENT
CHARLES G. GOMILLION, VICE-PRESIDENT
LUCIUS H. PITTS, VICE-PRESIDENT
RAYMOND M. WHEELER, CHAIRMAN, EXECUTIVE COMMITTEE
JOSEPH HAAS, COUNSEL
PAUL ANTHONY, EXECUTIVE DIRECTOR

Southern Regional Council, Inc.
5 FORSYTH STREET, N. W. ATLANTA, GEORGIA 30303

A Council to attain the ideals and practices of equal opportunity for all peoples in the South

MEMORANDUM March 17, 1970

To: Emory Via

From: Moreland Griffith Smith

I had a check-up on last Friday by my doctor - his directions are:

March 20th (3 weeks after operation) start back at office part-time.

March 27th (4 weeks after operation) start full-time.

Therefore, on March 20, I will be in the office a few hours each day starting right after lunch and will increase my hours gradually thereafter.

file Housing & Planning

JOHN H. WHEELER, PRESIDENT
JOSEPHINE WILKINS, VICE-PRESIDENT
PAUL R. CHRISTOPHER, VICE-PRESIDENT
CHARLES G. GOMILLION, VICE-PRESIDENT
LUCIUS H. PITTS, VICE-PRESIDENT
RAYMOND M. WHEELER, CHAIRMAN, EXECUTIVE COMMITTEE
JOSEPH HAAS, COUNSEL
PAUL ANTHONY, EXECUTIVE DIRECTOR

Southern Regional Council, Inc.
5 FORSYTH STREET, N. W. ATLANTA, GEORGIA 30303
522-8764

Memorandum April 6, 1970

To: RC, KG, EV, PA, MS, SA, RA, J.W.

From: Arthur C. Campbell ACC

Re: Summer Intern Program - Housing and Planning and the Community Organization Project

Attached is a brief outline of a proposed summer intern program for your perusal and reactions. Since time is crucial, your early reply is necessary.

It would be helpful if you would address your comments to:

a. A desirable project time

b. Potential Project benefits

c. Your interest in the project (e.g. what might be done relative to your area of interests.)

d. Suggestions relative to procedures, scope and finances.

e. Anything else you deem pertinent

Q. Is this time? How does it relate to other priorities? 6 mos of Art's time
Too broad in scope: specify

ENVIRONMENTAL AWARENESS AND RESTORATION

This project is designed to engender in the residents of small communities an understanding of the redevelopment process. The primary goal is to find tangible ways for residents of such communities to participate in the design and implementation of projects to stabilize their communities and to make them more esthetically pleasing.

This project will be conducted by interns of the Housing and Planning and Community Organization Projects. These interns will work with local volunteers to implement the proposed program.

The program will be geared for research and action with an overiding objective of documenting the towns needs in a variety of areas. For instance, in Hobson City, the project might be the development of a park. They might also investigate the entire subject of recreation and determine what groundwork must be laid to allow an effective ongoing recreational program. Out of firsthand experiences, the interns should be able to make a report on all facets of the community's problems.

Weekly contacts must be made with projects to allow close supervision. Actual visits to the locality are recommended. During the visits, information relative to problems

should be gathered in order that investigations of resources may be initiated. These sources of aid will be available to local officials at the end of the summer during a two day "Planning Education and Resource Development" conference. During the conference, arrangements will be made for continuous planning assistance from the Housing and Planning Program.

When did they come into act

The probable benefits of the described program to SRC and the town are varied. Hopefully, it would furnish some groundwork for influencing policies relative to small towns; especially federal funding policies. It should help the community become more aware of its own problems and possible resources.

Where?

Places Under Consideration for Summer Program

Triana
Jacksonville
Hobson City ALABAMA
Ridgeville
Roosevelt City

What qualifications?

Possible Sources of Interns

Atlanta University
Atlanta Urban Corporation
Friends World College
Tuskegee Institute
Alabama A & M
Goddard College

How much?

Budget Items

(1) Salaries
(2) Travel
(3) Room and Board (Orientation - Atlanta, Georgia; intern meeting, Birmingham, Alabama; conference, Atlanta.)

How much

Orientation

June 11th and 12th

Thursday - Arrive at SRC office (5 Forsyth Street) by 12:00 noon.

Introduction to SRC's staff and a briefing on the Councils activities. (All sessions to be held in SRC conference room.)

Friday - Briefing on:

a. Community Organization

b. Housing and Planning

c. Program in Environmental Awareness and Restoration

Saturday - All interns depart for target communities.

Interim Meeting - Program Reports

Place: Birmingham, Alabama

Date: July 10th and 11th (all day Friday and Saturday morning.)

Purpose: Have interns make progress reports. Provide a forum for questions and answers.

Conference at End of Summer Program

Place: Atlanta, Georgia (Will be planned in detail during summer.)

H&P

NATIONAL URBAN LEAGUE, INC. REGIONAL TECHNICAL TASK FORCE/HOUSING

MEETING 70-1; April 13, 1970; 4:00 PM - SRO/NUL Offices: 136 Marietta St.NW
Atlanta,Ga. 30303

ATTENDEES: Hubert Jackson, Moreland Smith, Clarence Coleman & Bruce Gruber.
Robert Thompson and John Edmunds were unable to attend.

Discussion centered on the AD HOC Jackson, Mississippi effort to be held May 19-21, 1970. Suggestions included names of persons who might be invited to sponsor and participate in the programmatic activities which may be included in the outlines developed to date.

Both Mr. Jackson and Mr. Smith offerred strong recommendations that "people-oriented" discussion opportunities be organized within the structure of the conference. These recommendations join the concern articulated earlier, that national groups should sponsor the conference "in association with" local and regional groups concerned with various aspects of housing.

Mr. Smith suggested that housing production required employment of laborers whose number could be solicited, with proper training provided, from among the agricultural (and, therefore, seasonally employed indigent work force). Further study on the possibility of a program in this area will be made.

BJG/gm

cc: Mr. Hubert M. Jackson
Mr. Moreland C. Smith
Mr. John T. Edmunds
Mr. Robert A. Thompson

cc: Mr. Clarence D. Coleman

NEWS RELEASE

METROPOLITAN FUND, INC.
211 WEST FORT STREET
DETROIT, MICHIGAN 48226
TEL: 961-7887

Gwen ~~Mrs.~~ & AC. ~~Should we get this?~~ G.J.V.

September 1, 1970
For Immediate Release

~~Yes - Lets order it~~

The physical, economic, social and governmental dimensions of new town development are explored in "Regional New Towns," a study by the Metropolitan Fund, Inc.

Metropolitan Fund in October of 1969 convened a citizen conference on new towns in an attempt to analyze some realistic answers to one of today's most pressing urban problems ... inadequate housing. The result of that conference is "Regional New Towns," an informative publication covering much of the comprehensive material and information available on the new town concept, as well as original materials from the conference.

A Policy Committee statement preceding the report specifically points out the advisability and desirability of "paired" new towns, "a design which would couple the rebuilding of a central city area with the building of a peripheral new town. The two would be paired through transportation, business, social and communications interlinks to provide the widest possible freedom of choice for all residents of both communities as to where and how they will live, learn, earn and enjoy themselves."

(more)

Pg. 3

Please order. Fill out form & charge to Housing & Planning

The Committee is quick to emphasize that, "a competitive relationship between peripheral development and central city rebuilding would be pointless ... competition between the two necessities could cause both to fail."

The need for social justice and order and a stable ecological balance are challenges which must be met with today's realities, "if we are to preserve the opportunity to live fully, rather than to exist ... if we are to leave our children a legacy of enrichment, rather than an environmental debt," the report opines.

The report contains an extensive series of briefing papers on new town development which conference participants were requested to read prior to the meeting, as well as original papers presented at the conference, and a special section devoted to participant discussion of new towns.

Program speakers included local, national and international experts in the field of planning, finance, realty, political science, transportation, urban studies, regional and national government, architecture and new town development.

Correspondingly, citizens invited to the conference to explore the future of new towns were members of the financial community, the automotive industry, the Michigan Legislature, planning agencies, unions, the home building industry, members of seven major Detroit neighborhood rehabilitation and housing projects, and representatives of the poor.

Joining with Metropolitan Fund in sponsoring the regional new town conference were the Metropolitan Detroit Citizens Development Authority (MDCDA), Wayne State University Center for Urban Studies and Urban America, Inc.

(more)

The report, "Regional New Towns," may be purchased for $5.50 from the Metropolitan Fund office, 211 West Fort Street, Room 1407, Detroit, Michigan 48226.

> "Urban growth should be our opportunity, not our enemy. It invites us to correct the past; to build new places that are infused with nature and stimulating to man's creative sense of beauty; places that are in scale with people and so formed as to encourage and give strength to real community."
>
> James W. Rouse, Developer of
> (New Town) Columbia, Maryland

# # # # # #

Res Copy to AC
Urban Planning + Housing

Panel Calls Model Cities 'Over-Regulated,' Urges Nixon to Push for Revenue-Sharing

9-11-70

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON – A 10-man task force told President Nixon that the Model Cities approach as a remedy for urban poverty was a "long step in the right direction," but the program was both "over-regulated and undersupported."

The Model Cities program was spawned during the Johnson Administration and has been under continual review since the Nixon Administration took office. Mr. Nixon's task force on Model Cities, headed by Prof. Edward C. Banfield of Harvard University, concluded that the Model Cities program, as well as some 400 other grant-in-aid programs to the cities, all would benefit greatly if local communities were given more freedom to use the funds they receive as they see fit.

"With about 400 grant-in-aid programs involving roughly $10 billion a year, Federal aid to cities is now on such a scale that the Federal bureaucracy is incapable of administering it," the report declared. "Most city governments can be trusted to use Federal funds in the manner Congress intends, but whether one trusts them or not it is necessary to allow them much more latitude because the alternative is waste and frustration and-or their replacement by a vastly expanded Federal-state bureaucracy."

In the future, the task force recommended that revenue-sharing, rather than categorical grants-in-aid, become the principal means of dispensing financial help to the cities. The group urged the President to "use his influence with Congress" to switch 25% of the present level of categorical funds to revenue-sharing by fiscal 1972 and another 25% by fiscal 1974.

Specifically, the report favored continuing the Model Cities program "as a means of asserting the interest the nation has in improving the quality of life in the city slums," but recommended that the program's scope be limited to the 150 cities already selected.

"The cities should be required to use the funds to improve conditions in their poorest neighborhoods, to keep current a plan, to afford citizens of affected neighborhoods opportunities to contribute to the planning and operation of Model Cities programs, and to meet a few other standards," the task force said. "The Model Cities administration should make an annual review to see that these requirements are met; beyond this it shouldn't regulate the Model Cities."

To assure adequate support of the program, the task force urged the President to "make it unmistakably clear to heads of urban agencies that he attaches importance to it," directing them to set aside up to 25% of available funds for the program.

Two members of the task force – Joseph W. Barr, head of Pennsylvania's department of community affairs, and Charles M. Hill Sr., deputy secretary of Wisconsin's department of local affairs and development – wrote a separate report that found more positive results in the Model Cities planning process to date and urged the President to ask Congress to continue the program for a five-year period and pledge $1 billion-a-year to it.

RDC Housing & Planning

M-E-M-O-R-A-N-D-U-M

September 29, 1970

To: Moreland Smith
Robert Anderson

From: Horace Barker

Re: Suggested follow-up questions for Robert Affeldt

1. It has been reported that Shermon Unger (the conservative HUD General Counsel) was forced on Romney by the White House. Can you confirm or deny? Do you believe Unger was deliberately based at HUD to keep the EO program "in check." For example: To prevent implementation of an enforcement program? How strong is the possiblity that the new G.C. will be more receptive to more effective enforcement?

2. What other personal changes do you feel are necessary in order for HUD to have an effective program such as you outlined in your resignation statement?

3. You point out that Frank Fisher was fired from his position as Regional Administrator because of "over-enforcement." In what specific programs did he cut funds and for what cities? Is he the <u>only</u> production administrator to do this?

4. You say there is a "pressing need today to publish guidelines defining discriminatory practices upon the part of private institutions such as builders. . ." How would you describe the reason for this inaction? Does it involve a lack of initiative, commitment, and administrative expertise on the part of EO officials? Or, have guidelines been proposed but held up by the White House or, other political considerations? Or, does the strucuture and organization of HUD singly permit the program directors so much power that their objections can't be overcome?

5. On page 7, you indicate that in 1968, many federal agencies sent HUD proposals for abiding by Section 808(d) "A summary of the reports was made by HUD. The matter ended there . . ." Would it be possible for us to get a copy of the summary for background information if not for publication?

SP) 15 CENTS

Cut-Rate Housing

Cheaper Homes Play A Part in Forecasts Of '71 Spurt in Starts

Builders Reduce Floor Area, Drop Extras in Attempt To Broaden Their Market

Government Aid Is a Factor

10/16/70

By TIMOTHY D. SCHELLHARDT
Staff Reporter of THE WALL STREET JOURNAL

Levitt & Sons, the big New York-based builder, recently added a "new" model to its Long Island line of homes. It doesn't have carpeting, air-conditioning or a dishwasher. It has a one-car instead of a two-car garage. The second floor is unfinished; the buyer divides it into rooms when he can afford it.

The model is "selling like crazy," declares a Levitt spokesman. The main reason, he says, is its price of $23,990, fully $5,000 under the firm's cheapest home till now. He explains: "The fact is that a lot of people aren't interested in the frills anymore—they just want the basic home. We haven't seen a trend like this since the 50s."

Talks with other builders indicate that the phenomenon is occuring all across the country. Home buyers, stung by inflation, are more price-conscious now than any time in the recent past. They are demanding—and finally getting—the housing industry's counterpart of the compact car.

This development is contributing to the expectation that new housing starts, which have tailed off during the last two years, will rise sharply in 1971. The National Association of Home Builders, a trade group, estimates that 1.7 million new homes will be started next year, 20% more than in 1970. If that prediction comes true, it would make 1971 the industry's best year since the postwar boom of 1950.

The Ripple Effect

Such a development would bode well for the whole economy. "As housing goes, so go sales of lumber, furniture and a host of other products," notes Sherman Shapiro, an economist with the Federal Home Loan Bank Board. "Few things would help get things moving again like a healthy boost in home building."

Builders' estimates of next year's production aren't crystal-ball guesses. Builders borrow money, line up labor, prepare sites and order supplies in the fall for houses they plan to start in the spring, and many contractors report that they are committing themselves far more heavily this year than in the previous two years.

J. W. Underwood Co., a Jackson, Miss., housing concern that last year built 224 homes, now is getting about 400 sites ready for construction, "enough for 12 to 18 months of busy activity," says Ralph McDaniel, senior vice president. That's double the number of sites the firm readied a year ago. Ryan Homes of Pittsburgh, one of the nation's largest single-family home producers, has arranged mortgage commitments to handle financing for 20% more home buyers next year than in 1970. And Mastercraft Homes Inc. of Phoenix, expecting home sales to jump to 1,000 in 1971 from 600 this year, is increasing its labor force to 500 men from 300, says Charles Gundrum, president.

New Sawmills

Among the suppliers, Georgia-Pacific Corp., a major maker of materials, has been rushing the completion this year of 17 new sawmills, particle board and plywood plants "to meet a sharp rise in demand anticipated for our products next year," says a company official.

Several developments underlie the expected housing surge. Mortgage money is becoming more readily available as the flow of funds increases to savings and loan institutions, the major mortgage lenders. In addition, the recent dip in the prime interest rate—the rate banks charge their biggest and best customers—to 7.5% from 8% is likely to signal lower long-term mortgage rates within the next two to three months, builders say.

At least equally important is the increased help that Government-connected agencies are giving to families that haven't been able to afford homes.

These Governmental units plan to pump close to $13 billion into the housing market next year, up from $10 billion in 1970. All in all, the National Association of Home Builders expects that Government housing programs will play a part in almost 50% of 1971 housing starts, a sharp rise from only 27% in 1969 and 20% two years ago. The recipients of much of this aid are families with annual incomes of $9,000 or less.

A Cautious Attitude

These assistance programs, several authorized by recent legislation, help account for much of the move to simpler, less expensive homes, builders say. Under terms of the programs, the most expensive home a family buys can't exceed $25,000, and most homes purchased are priced below $20,000.

However, families who can afford higher-priced homes also are being attracted to the less-expensive models. "Families have watched inflation eat at their savings, and they're more concerned about job uncertainties now," says George Katona, director of the University of Michigan's quarterly survey of consumer sentiment. "They're afraid to overextend themselves in a long-term investment like buying a home."

A case in point is Michael Hills, a 28-year-old New York attorney. Mr. Hills and his wife were in the market for a house for a year before buying one of the basic Levitt models. "We could have afforded something more expensive, in the $40,000 to $45,000 range, but we figured we'd better go easy at first," says Mr. Hills. "Times being what they are, we wanted to conserve our money. If we need more later, we can always move up."

Such attitudes have forced builders to change their offerings to get home prices in line with what many buyers are willing to pay. Many builders simply are offering smaller models. The Larwin Group, a large Los Angeles-based builder that sold 2,000 houses in 1969, has designed a three-bedroom model containing 1,100 square feet of floor space; the smallest present model contains 1,300 square feet. Denver-based Golden Key Homes Inc., which

Please Turn to Page 12, Column 3

AC
MS
Housing
urban

Cut-Rate Housing: Lower-Priced Homes Help Increase Starts

Continued From First Page

built 403 homes last year, now offers houses starting at 1,100 square feet, half the size of its smallest model previously. "That's the only way we can get our homes into the $20,000 to $30,000 range," says President Michael Cooper. His firm's houses had been priced above $35,000.

Builders also are offering fewer amenities. "Instead of the top appliance names, we're offering manufacturers that are a little bit lower on the list. Air-conditioning is optional, and we have one type of carpeting now. It all helps lower the price," says Samuel Primack, partner in the Perl-Mack Companies of Denver, which sold 1,210 homes last year. Other builders say they're omitting glamor features such as fireplaces and automatic garage door openers.

Notes Robert Stephens, an Indianapolis home builder who sells about 35 homes each year: "My buyers used to insist on spacious homes with air-conditioning, dishwashers and intercoms. Now they say, 'Bob, just give us the old square footage. And leave room until later for those other things.' "

RDC — Housing & Planning

M-E-M-O-R-A-N-D-U-M

October 19, 1970

To: Emory Via

From: Moreland Griffith Smith

Attached hereto is an agenda for a Congressional Study on the Effectiveness of Housing Laws - gotten up by the CS staff.

Bruce Gruber is trying to get up a southeastern Task Force to testify and prepare background for testimony.

Possibly, SRC is going to do "their thing" alone. If so, fine, if not, I can co-ordinate with Bruce as "Housing Advisor" to the Urban League office.

5

Bruce B. Gruber
Assistant Director, Housing

National Urban League, Inc.
Southern Regional Office
136 Marietta Street, N. W., Suite 242, Atlanta, Georgia 30303
(404) 688-8778

108

GENERAL PROCEDURE FOR PANELS

(1) Subcommittee Meeting - October 13

-- discuss panels

-- discuss general procedures

-- appoint Subcommittee members to panels

(2) Panel Sessions - November

-- discuss existing programs

-- plan field activities

(3) Field Trips - December through March

-- conduct field trips

-- prepare report of recommendations

(4) Conclusions - April

-- Subcommittee review of panel recommendations

-- prepare and introduce legislation

PRIORITY

Gruber

OUTLINE OF MATERIAL TO BE COVERED

PANEL I Production: Increasing the Supply of Housing

*Background -- This material will not be reviewed formally by the panels or the discussion groups. It will be treated in preliminary papers and brief presentations at the outset of each seminar.

*A. Housing Needs -- Review of National Housing Goals

(1) The Existing Stock
- a) Number
- b) Characteristics, i.e., size, type, etc.
- c) Condition
- d) Location
- e) Costs i.e., rents and sales prices
- f) Economic patterns i.e., "Filtering down", coops versus rental, etc.

(2) Current Housing Production
- a) Conventional
- b) Industrialized and Modular
- c) Mobile Homes
- d) Location and Land

(3) Government Assisted Housing Production
- a) Federal
  - -FHA Subsidized
  - -FHA Unsubsidized
  - -Public Housing
  - -Other
- b) State and Local

(4) Rehabilitation
- a) Conventional
- b) Subsidized
- c) Special Efforts

(5) Performance
- a) By Goals
- b) By Comparison to the other Nations
- c) By other Projections and Standards

(6) Projections
- a) Next year, five years, decade

B. Producing Housing - Review of Existing Housing Laws and Programs

(1) Who Builds?
- a) Private Developers
- b) Limited Dividends
- c) Non-Profits
- d) Coops
- e) Government
- d) Large Corporate Enterprises
- f) Others

(2) How Do They Build?
- a) Manpower
- b) Organization of the Industry
- c) Technique and Technology
  - -Conventional
  - -Pre-fabricated
  - -Factory Built

(3) Where Do They Build?
- a) Central City -- Costs and Availability
- b) Suburb -- Costs and Availability
- c) Rural -- Costs and Availability

(4) What Do They Build?
- a) Costs
  - -Materials
  - -Labor
  - -Land
  - -Financing
  - -Processing
- b) Regulation
  - -Mortgage and Cost Limits
  - -Minimum Property, Design and Construction Standards
  - -Cost Certification
  - -Davis-Bacon
  - -Amenities
  - -Workable Programs
  - -Local Controls
  - -Processing

(5) Why Do They Build?
- a) Development Profit
  - -Land
  - -Fees
  - -Allowances
  - -Equity (Sales)

b) Cash Flow
- -Distributions
- -Operating Fees

c) Tax Savings
- -Interest
- -Taxes
- -Depreciation

d) Residuals
- -Sales
- -Refinancing
- -Non-Profit
- -Taxes

e) Yields

*The following is the matter to be considered by the members at the public sessions and private seminars.

*C. How to Increase Production

(1) What Should our Production Objective Be -- National Housing Goals

a) How Many Units Should be Produced?
- -Next decade
- -Next five years
- -Next year

b) What Kinds of Units Should Be Produced?
- -Single family
- -Multi-family
- -Combinations
- -Others

c) Where Should They Be Located ?
- -City
- -Core
- -Suburb
- -Rural

d) How Should They Be Held ?
- -Rental
- -Ownership
- -Other

e) How Many Units Should Be Subsidized ?
- -Houses versus People
- -Income Limits versus Needs

f) What Kind of Construction Methods Should Be Used?
- -Conventional
- -Industrialized
- -Mobile Homes

g) What Emphasis Should Be Given to Rehabilitation?
h) Who Should Build These Units?
- -Organization of the Industry
- -Private Developers
- -Limited Dividends
- -Non-Profits
- -Coops
- -Government
- -Large Corporate Enterprises
- -Others

(2) What Should the Federal Government's Responsibility Be?
a) To answer these questions
b) To help achieve these objectives

(3) Government Action (Matter to be covered depends on answers to 2(a) and (b)
a) Provide Adequate Financing
b) Reduce Costs
- -Land Program
- -Expand and Improve Work Force
- -Improve Construction Technology
- -Alter Financing and Processing Methods

c) Assure Proper Sites
d) Additional Incentive for Private Participation in Federal Programs
- -Increase Distribution
- -Tax Incentive
- -Fees and Allowances
- -Cost Certification
- -Davis-Bacon
- -Mortgage Amounts

e) Improve Administration of Federal Programs -- Housing and Urban Development Act of 1970
- -Consolidation
- -Uniformity
- -Procedure.

f) Other

D. Criteria For Evaluating Federal Initiatives

(1) Goal to be Achieved
(2) Program Specifications
(3) Priority of Effort
(4) Administrative Load
(5) Operating Efficiency
(6) Comparative Cost of Program Initiative

E. Recommendations

OUTLINE OF MATERIAL TO BE COVERED

PANEL II Demand: Reducing the Amount People Must Pay for Standard and Substandard Housing.

*Background -- This material will not be reviewed formally by the panels or discussion groups. It will be treated in preliminary papers and brief presentations at the outset of each seminar.

*A. The Present Subsidy -- Review of Current Law and Programs

(1) Characteristics of the Existing Assistance Formula

a) To Get Housing Built
- -The Supply Oriented Subsidy
- -Project Subsidies Tied to Specific Unit
- -Production Subsidies to Promote New Construction and Rehabilitation

b) To Lower Cost Of Occupancy of New Units
- -Methods Used
- -Interest Support
- -Principal Support
- -Other Operating Support
- -Need - Allowances for the Purchase or Rental of Standard Housing

(2) Administration

a) Current Subsidy Devices and Techniques
- -Interest Payments--(Section 235-236)
- -Principal Payments
- -Direct Payments--(Rent Supplements)
- -Public Housing Formula
- -Loans--(Rehabilitation)
- -Special Grants and Devices (the Piggy-Back Subsidy)
- -Taxes
- -Others

b) Controls Over Who Receives Assistance
- -Income Limits
- -Income Certifications
- -Preferences
- -Rent-Income Ratios
- -Asset Limitations
- -Occupancy Rules
- -Eligibility Rules
- -Exemptions & Deductions
- -Others

c) Operations - How the Subsidy is Allocated ?
- -FHA Central and Local
- -HHA Central and Local

-Public Housing Authorities
-Other Local Administration

(3) Who Benefits From Current Subsidies and to What Degree?
a) Rich
b) Middle
c) Moderate
d) Poor
e) Very Poor
f) Families or Individuals
g) Elderly
h) Handicapped
i) Displaced
j) Others

(4) What Are Current Costs of the Subsidy Program
a) Authorizations
b) Appropriations
c) Indirect
-Federal Taxes
-Local Taxes
-Other
d) Administration
e) Other Local Costs

*The following matter will be the subject to be considered by the members at the public hearings and private seminars.

*B. <u>The Future Subsidy -- Improvements of Existing Subsidy and/or Introduction of New Subsidy</u>

(1) Who Needs Assistance to Afford Standard Housing?
a) How much income should a family devote to housing?
b) Should aid relate to financial capacity?
c) How many families should be assisted?

(2) The Nature of the Subsidy
a) What should the subsidy do?
-<u>Houses</u> -- Should it Stimulate Production and Be Tied to Dwelling Units ?
-<u>People</u> -- Should it Be Tied To Family Need and Should All Those With Need Receive Assistance?
b) Who should receive the subsidy?
-What Should Be the Coverage of Subsidy Programs?
-Should All Those Eligible Receive Assistance?
-How much Subsidy Should Be Paid to Rich and Middle Class Families?

c) What should receive the subsidy?
- -New Units
- -Rental Units
- -Owned Units
- -Existing Units
- -Rehabilitated Units

d) What should be the extent of the subsidy?
- -How Deep Should the Subsidy be ?
- -When Should the Subsidy Stop?

(3) What Other Objectives Besides Decent Shelter Should the Subsidy Seek to Achieve?
- a) No Concentration by Income and Race
- b) Stimulate Individual Choice
- c) Stress Quality, Design, Style
- d) Facilitate Administration

(4) How Should the Subsidy Be Administered?
- a) Who should pay the subsidy?
  - -Federal
  - -State
  - -Local
  - -Combination
- b) How should it be paid?
  - -Federal
  - -State
  - -Local
  - -Combination
- c) What kinds of standards Should be used?
  - -Income
  - -Eligibility
  - -Assets
  - -Others

(5) What Would be the Cost of Subsidy?
- a) Costs
  - -Direct
  - -Indirect
- b) Priority

C. Related Programs

(1) How Should other Government Programs Relate to the Housing Subsidy?
- a) Physical Evnironment
  - -Urban Renewal and Model Citites
  - -New Communities
  - -Physical Facilities Programs, i.e., water and sewer, open space.
- b) Community Development

-Tenant Involvement i.e., tenant councils, management and maintenance, planning and construction
-Housing Counseling

c) Open Communities
d) Welfare and Income Maintenance
e) Social Service
-Operation of Related Health, Welfare and Education Programs

D. Recommendations

OUTLINE OF MATERIAL TO BE COVERED

PANEL III Development of a Suitable Living Environment

*Background -- This material will not be reviewed formally by the panels or discussion groups. It will be treated in preliminary papers and brief presentations at the outset of each seminar.

*A. Metropolitan Development -- Review of Current HUD Law and Programs

(1) Central City Development
- a) Urban Renewal
  - -Planning
  - -Action
- b) Model Cities
  - -Planning
  - -Action
- c) Interim Assistance for Blighted Areas
  - -Planning
  - -Action
- d) Neighborhood Facilities
- e) Demolition Grants
- f) Code Enforcement
- g) Urban Beautification and Improvement
- h) Historic Preservation
- i) Urban Property Insurance
- j) Urban Parks

(2) Metropolitan, Suburban and Rural Town Development
- a) Public Facilities Loans
- b) Open Space Land
- c) Water and Sewer Facilities
- d) Parks and Recreation
- e) Advance Land Acquisition
- f) Land Development
- g) New Communities
- h) Small Town Services
- i) Flood Insurance
- j) Community Development Training

(3) The Planning Imbroglio
- a) Comprehensive Planning Assistance
  - -The Section 701 Family

b) Urban Renewal
- -CRP
- -GNRP
- -S & P
- -NDP

c) Model Cities
d) Public Works Planning
e) Planned Areawide Development
f) Urban Mass Transportation Planning
g) Social Planning
h) Planning Requirements
i) Others

(4) Relationship to Other Programs
a) Transportation
b) Interior
c) HEW
d) OEC
e) Labor
f) Other

*The following matter will be the subject to be considered by the members at the public meetings and private seminars.

*A. Towards a National Urban Growth Policy

(1) Urban Growth and New Communities--the Housing and Urban Development Act of 1970.
a) Unfinished Business

(2) Objectives of National Urban Growth Policy
a) Choice and Balance in the Development of Human and Physical Resources in Urban Areas
b) Continued Economic Strength in Urban Areas
c) Balanced Migration and Physical Growth
d) Comprehensive Treatment of Unemployment and Poverty
e) Open Communities
f) Strengthened Capacity of Government to Contribute to Coherent Urban Growth
g) Coordination of Administration of Federal Programs

(3) How Should the Federal Government Define and Implement this Policy?
a) Domestic Council and the Executive Office of the President
b) HUD
- -Organization of Department (1965)
- -Convener Responsibility

*B. The Next Steps in Achieving a Policy

(1) Resolving fiscal disparities and the multi-jurisdictional metropolitan problem
   a) Need to Induce (or coerce) Jurisdictions within Metropolitan Areas to Develop Institutions Which Can Resolve these Questions
      -Metro Area Political Process in the Inner and Outer City
      -Metro Area Organization, i.e., City/State/County/Town /Satellite/Suburb/Country
      -Comprehensive Metropolitan Planning
   b) Need to Equate Service and Development Requirements with Available Fiscal and Administrative Resources
      -Planning Assistance at Federal, State and Local Levels
      -Development Assistance at Federal, State and Local Levels
      -Proposals, i.e., Urbank, Planning Assistance, Incentives (Title II), Others

(2) The HUD Delivery System--Rationalizing the categorical grant program
   a) Alternative Methods of Delivering Federal Assistance for Comprehensive Metro Development and for Resolving Problems of Physical Environment
   b) Alternative Subsidy Devices for Aiding Development at Different Government Levels
   c) The Post-Audit or Performance Approach
   d) Proposals, i.e., Consolidation, Block Grants, Administrative decentralization, Others

(3) Improving Administrative Capacity of State and Local Governments
   a) Federal Incentives for Shifting Administrative Responsibility for Areawide Functions to Larger Government Units
   b) Shifting Fiscal Burdens to State or Federal Government, i.e., Welfare, Education, Others
   c) Shifting Methods of Raising Revenue by
      -Government, i.e., State, County, Local
      -Tax Method, i.e., Property, Sales, Income, Other
   d) Professionalism
      -Pay
      -Education
      -Continuing Training

*C. Recommendations

File
Housing & Planning

TO:

~~E. Vin~~

CUT CANE ASSOCIATES
P. O. Box 98 + Phone 404-374-6611
MINERAL BLUFF, GEORGIA 30559

MEMORANDUM October 31, 1970

TO: Emory Via, Southern Regional Council

FROM: Si Kahn

SUBJECT: Farmers' Home Administration

In 1966 thru 1969, while serving as Deputy Director of Community Action for Improvement, Inc., an eight-county CAP agency in West Georgia, I worked extensively with the West Georgia Cooperative. This co-op was organized originally about 1965 as an okra marketing operation among black farmers in Harris County, Georgia, and at the time was called the Harris County Farmers Cooperative Association. Some thirty farmers formed the original membership. Okra was marketed under a pre-season contract to Southern Foods, Inc. in Montezuma, Georgia. The co-op used the local black 4-H building as its headquarters. Behind the 4-H building the co-op had constructed a rough log and tin marketing shed to be used for grading, and to cover the truck scales they had purchased.

From 1966 to 1968, the co-op expanded rapidly, increasing its membership to over 300, and expanding into neighboring Talbot County. With the increase in membership came a growing diversification of interests, and a new definition of the role of the co-op. Many of the members were not farmers, and were interested in having the co-op provide services in addition to those for its agricultural members. Gradually the idea evolved for a co-op center, which would include not only facilities for farm marketing operations,

~~Energy~~ File — Housing & Plan.

Any suggestions?
I plan on telephoning Mike Brooks on the 4th January for an appointment preferably on the 11th January if these dates are okay.
Morelandt

DEPARTMENT OF
CITY AND REGIONAL
PLANNING

UNIVERSITY OF NORTH CAROLINA • CHAPEL HILL • 27514

December 18, 1970

Mr. Moreland Griffith Smith
Director, Housing & Planning Program
Southern Regional Council, Inc.
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

Dear Morey:

We're interested in your proposal and want to do all we can to help.

As to your Item (1), I believe your key people would be Mike Brooks and Jon Howes. Why don't you plan a return trip in early January to talk further with them, and preferably at a time when Mike Stegman and Bob Mayer would also be available.

Evaluation of H&P

Their telephone numbers are as follows: Brooks 919 933-3983; Howes 919 933-3074.

I've already indicated our interest in the summer intern program.

Your Item (3) suggesting some type of long range affiliation might best be worked out with Jon Howes and the Center for Urban and Regional Studies. Jon is in close touch with our people and others in the University who would be interested in participating.

Let me know when you're coming again so we can arrange to talk further about all this.

Sincerely,

Jack

John A. Parker

JAP/me

cc: Brooks, Stegman, Mayer, Howes

(919) 933-3983

TELEPHONE 933-3983 • AREA CODE 919

but space for a gas station, cafe, grocery store and recreation and community center as well. After almost a year of frustration, caused by the unwillingness of white landowners to sell land to a black cooperative, two sites were purchased out of co-op operating funds: a 1.9 acre site on U.S. 27 south of Callaway Gardens, and a 3.0 acre site on a nearby state highway.

A decision was also made by the co-op Board of Directors to apply for a loan from FmHA. The co-op manager contacted the district manager for FmHA, Travis Turner, in Newnan, Georgia. Mr. Turner assured the co-op's representatives that there would be no difficulty in getting a loan, and that the money would be in the hands of the co-op within thirty days after the completed application was received.

Completing the application turned out to be another matter entirely. Over the next year, FmHA showed an amazing ability to come up with "just one last form" before the application could be completed. This included the following actions, none of which were mentioned in the initial meeting:

1) Obtaining deeds and plats of the two sites purchased by the co-op.

2) Coding maps of Harris and Talbot County to show the location of all families who would use the proposed facility.

3) Obtaining itemized bids and architectural drawings from two construction firms for the proposed building.

4) Obtaining certified copies of the co-op's Articles of Incorporation and Charter.

5) Holding a special membership meeting to approve the proposal.

6) Obtaining individual surveys of each family in the co-op. Each survey was, in effect, a complete FmHA loan application form. This step nearly compromised the proposal, since a number of families got the impression that their assets, which they were required to list, would be used as collateral against the co-op's loan. Some 100 of these forms were completed.

7) Developing a projected income plot for the co-op over a five-year period. This required obtaining an agricultural economist from Tuskegee to develop the necessary data.

8) Preparing a certified financial statement for the co-op.

It should be emphasized that these steps were not outlined in the initial conversations between the co-op and FmHA, but were introduced one by one as other steps were completed. As a result, over a year was necessary to satisfy FmHA that the application was complete. After the final form was submitted, some six months went by, punctuated only by Mr. Turner's continual reassurance that the money would be in "any day now." What finally arrived was a

one-paragraph letter from FmHA in Atlanta stating that the loan had been disapproved because the co-op did not meet the requirements for an organization to be eligible for FmHA funds!

At the request of the co-op, I made a visit to see Mr. Van Landingham, the Georgia State FmHA Administrator, in Atlanta. Mr. Van Landingham was extremely curt and unpleasant, but well informed concerning the West Georgia Cooperative. He stated that they had refused assistance which he had offered to them; that instead of accepting his employees' recommendations they had to go all the way to Tuskeegee"; that the co-op could never repay the loan; and that they were asking for too much money in the first place. In fact, the co-op was in almost continual contact with Travis Turner, Van Landingham's representative for that area; the loan was for 33 years, and could have been repaid at the rate of about $1,700 a year, not an unreasonable sum for a 300-member cooperative; and the amount requested, approximately $25,000, had been specifically suggested by Turner as a "good amount to request." Furthermore, none of the above were given as the official reason for denying the loan.

Based on these facts, it seems obvious that FmHA never intended to make a loan to the West Georgia Cooperative; and that it simply

kept demanding additional information and forms in order to put off making an official turn-down as long as possible. It is also obvious that the eligibility of the co-op could have been determined without the numerous forms which were required.

Whether or not the West Georgia Cooperative was in reality eligible for the proposed loan was never determined. The Board of Directors of the co-op discussed the possibility of appeals or legal action against FmHA, but finally decided that enough time had been wasted - almost two years, in fact. An application was made to the Federation of Southern Cooperatives for $2,000 to construct a smaller building with volunteer labor; additional funds were raised locally. At last word, the building was open and running well.

* * * * * *

Several months ago, my wife and I decided to improve the house we were living in. The construction was to include adding a bathroom; building a 10' x 20' addition to the back of the house; installing a septic tank; building a hygenic water system; adding central heating; underpinning; and improving the road and two bridges leading to the house. When the local bank turned us down for a loan, we decided to go to FmHA. Because of my previous experiences dealing with them, I asked around locally first, and was told it was best to approach

them through a local contractor who did much of their work in the area. I talked to the contractor, who gave me the necessary forms, which I filled out in his office. He also told me to take the forms to the FmHA office in Blairsville, and to mention that he was assisting me with the application and construction.

The FmHA representative, Mr. Dean, reviewed the application, and said that we apparently met the standards for eligibility, but did not show where we had been turned down by conventional lending sources. I told him that the bank had turned us down, and I could easily get a letter to that effect; and that since there were no other banks in the county, there was obviously no other place I could go to get the money. Mr. Dean replied that the Federal Land Bank in Dalton would make the loan to me, based on the information I provided in the application, using my entire 114.6 acre farm as collateral for approximately $3,500 dollars. I explained that the farm was already financed, at 6½%, and that I couldn't see anyone taking a second mortgage on it. He said, No, the Federal Land Bank would refinance both the farm and the house - at 8½% interest. I told him a man would have to be a fool to refinance a 6½% loan at 8½%. He said that was up to me to decide, but that according to regulations, since I <u>could</u> obtain the loan from another source, FmHA could not consider the application.

Such an arrangement would have cost me about $600 additional on what I already owed on the farm - not to mention the interest on the additional money borrowed to complete the house.

Because we were trying to get the house ready for winter, we decided not to try to appeal, and to borrow the money elsewhere. We eventually borrowed less than half of what we needed from a bank at 8% interest, mortgaging our remaining savings in the process, on a six-month note; and by doing the remaining work ourselves, were able to complete about 75% of what we had planned. However, we have not been able to purchase materials to complete the job; and will probably have to sell our collateral in order to meet the note when it comes due in three months. If Farmers' Home had made us the loan, we would have been able to pay a more reasonable interest rate of about 7%; to borrow the full amount necessary; to contract for some of the work which we could not get to because of job pressures; to keep our savings intact; and to pay off the note over a period of several years, instead of in six months. It is obvious that in this case, FmHA was more interested in having us borrow $7,000 from the government at 8½% interest than in loaning us $3,500 at 7%; and had no interest whatsoever in the effect this might have on our family finances. If there is any consolation, it is that we found this out within a week, rather than in two years, like the West Georgia Cooperative.

These two examples represent two widely different situations: a cooperative made up mostly of poor black farmers in South Georgia attempting to improve their marketing and other services, and a white moderate-income family in North Georgia trying to provide themselves with decent housing. But in both cases the response of FmHA has been similar - and, for an agency which supposedly represents one of the Federal government's main thrusts in improving poor rural areas, inexcusable.

Si Kahn
October 31, 1970

File Housing & Planning

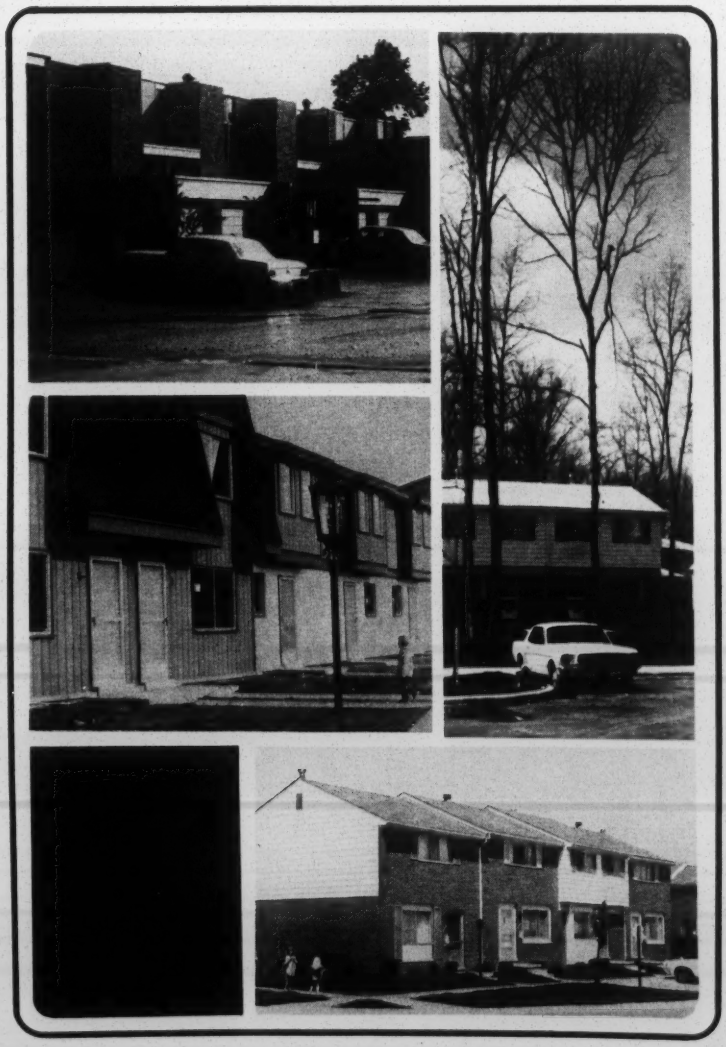
YOU'RE INVITED

The Upper Midwest Institute on Cooperative Home Ownership

Thursday, December 3, 1970
11 a.m. to 9 p.m.

PROM CENTER

St. Paul, Minnesota



MEMO FROM THE DESK OF:

Harry & Ping

Moreland G. Smith

December 22, 1970

Emory:

I will be out of town on December 23, 28, 29, and 30th - SRC work days. As I am now only one-half time for SRC, I believe I have spent more than the one-half hours involved above in extra SRC hours within the past two (2) weeks. However, it is my plan upon returning on the 31st to spend the immediately following four (4) SRC work days (full days) on SRC things to be absolutely sure.

I will check with you further upon my return to see if there is anything I should know about while I was away on the 23, 28, 29, 30th.

Moreland

RURAL HOUSING

a periodic newsletter published by the NATIONAL RURAL HOUSING COALITION

1346 Connecticut Avenue N.W. Washington D.C. 20036 • (202) 296-4945

H&P

Volume II December '70 - January '71 Number 1

THE NATIONAL RURAL HOUSING COALITION CLOSED OUT THE FIRST YEAR of its operations feeling quite satisfied with its achievements. In the funding field Coalition supported efforts had brought about:

..... $86 million for Farmers Home Administration to use in expanding its undersized staff. The President had asked for $85 million.
..... $100 million for rural water and sewer system grants. The President had asked for $24 million.
..... $98 million for direct rural water and sewer system loans. The President had asked for $40 million.

THE COALITION IN ITS MELLOW END-OF-THE FIRST-YEAR MOOD was even complacent about the Farmers Home Administration's goal of placing $1.5 billion in support of rural housing during fiscal 1971, even though $7 billion was needed to do the job. After all $1.5 billion would nearly double the volume of the previous year.

THE COALITION ALSO TOOK PRIDE IN ITS LEGISLATIVE ACCOMPLISHMENTS and in a January 2 press release called attention to the following changes brought about by the passage of the 1970 Housing Act, all of which had been recommended by the Coalition, none by the Administration:

..... The maximum grant for farm labor housing had been increased from 66 and 2/3 percent of the cost of construction to 90 percent. Interest rate on farm labor housing loans reduced from five to one percent. The financing of household furnishings for farm labor housing units had been authorized. In addition financial assistance for farm labor housing was now authorized to nonprofit organizations of farm workers and to broadly based public or private nonprofit organizations operating on a state-wide basis.
..... Under the new Act Farmers Home was authorized to serve rural communities of up to 10,000 population in size.
..... The ceiling on loans made for minor repairs was raised from $1,500 to $3,500.
..... The ceiling on loans for rental housing projects was raised from $300,000 to $750,000.
..... The FmHA was authorized to make loans to people who work in cities but want to build or buy a home in the country.

..... FmHA was given discretionary authority in the use of county credit committees.
..... FmHA was authorized to make housing loans to lessees of nonfarm tracts, like Indian reservations, school lands.
..... FmHA was authorized to grant up to $2,500 to rural and small town families whose homes are damaged or destroyed by hurricanes, floods, tornadoes, or other natural disasters.

WHAT THE COALITION SUCCEEDED IN PERSUADING THE CONGRESS TO DO IS BEING UNDONE BY THE WHITE HOUSE. The Coalition heard in mid-January, the Administration was going to cut the fiscal 1971 rural housing program by nearly a half billion dollars. The Associated Press on January 19 ran a story on the impending cut and noted in detail the Coalition's position that such a cut would be "absolutely incomprehensible." The story was carried in hundreds of papers here and abroad and on radio and TV news programs. The Coalition enjoyed the publicity it received as spokesman for the rural poor but shuddered at the consequences to the rural poor should the Coalition's predictions prove correct.

THE RELEASE OF THE 1972 BUDGET ON JANUARY 29 CONFIRMED all of our worst fears. The fine print of the Budget disclosed:

..... The 502 rural housing insured loan program for fiscal 1971 was cut from $1.4 billion to $946 million.
..... The Administration had frozen $56 million of the $100 million appropriated for rural water and sewer grants and $68 million of the $98 million appropriated for rural water and sewer loans.

THE PICTURE IS BECOMING EQUALLY BLEAK on the implementation of the new rural housing authorities provided by the 1970 Housing Act. FmHA by the end of January had taken these actions:

..... The interest rate on farm labor housing loans had been reduced to one percent. No action taken on the 90 percent grant and other features.
..... FmHA was fiddling with a formula that would allow county supervisors to make loans in communities between 5,500 and 10,000 population only if (a) such community was outside an SMSA and (b) located 50 miles from a place with a population of 25,000 or more.
..... No action had been taken to raise the ceiling on 504 loans to $3,500 or to raise the ceiling on rental housing project loans to $750,000.
..... When it came to making loans to people who work in the cities FmHA announced it was only going to experiment with the idea in three states.
..... No action had been taken on lessening the authority of county committees or making loans to lessees.

..... No action had been taken on making the $2,500 grants available to non-farmers whose homes are destroyed or damaged by natural disasters in rural areas and small towns. Though the similar provisions that pertain to farmers had been implemented.

THE COALITION HAS ITS WORK CUT OUT. As a starter Coalition members should seek to get the funds restored for the 1971 fiscal year. The two main cuts are in the insured 502 housing loans and the rural water and sewer grant program.

..... The insured 502 housing loan cut amounts to $472 million. These funds would house 40,000 low-income rural families. FmHA state offices have been asked to spread their remaining funds out over the rest of the year. Florida and several other states have already exhausted all their allotment, so they have no funds to spread. The agency had 70,000 applications on hand January 1 and only had enough funds to make about 26,000 loans. What it all means is that the rural housing loan program is closed down for the rest of the year so far as more than half of the people who have filed applications are concerned, and closed down completely so far as any new applications are concerned, unless the Coalition can pry the frozen funds loose.

There is absolutely no legitimate reason for the freezing of the funds. These are insured loans and have negligible impact on the Budget. In fact at the present time FmHA is paying investors 6 to 7 percent for the funds it is lending at up to 7 1/4 percent.

..... The water and sewer grant cut amounts to $56 million. To use these funds would have an impact on the budget but any fair listing of priorities would place the expenditure of these funds above the $2.8 billion tax bonanza recently given industrialists, and similar expenditures.

If the grant funds are not unfrozen about 800 small communities will have to postpone, once more, their development of adequate water and sewer systems.

Since the action freezing insured rural housing loans and the water and sewer grant funds is purely administrative, pressure must be brought to bear upon the White House. Letters, phone calls and telegrams should be sent directly to the White House and to the Secretary of Agriculture. Congressmen and Senators, particularly those who are members of key committees, should be asked to request the White House to remove the cutbacks.

MEMBERS OF THE SENATE APPROPRIATIONS COMMITTEE, 92nd Congress, are Allen Ellender, John McClellan, Warren Magnuson, James Eastland, John Stennis, John Pastore, Alan Bible, Robert Byrd, Gale McGee, Mike Mansfield, William Proxmire, Joseph Montoya, Daniel Inouye, Ernest Hollings, Milton Young, Karl Mundt, Margaret Chase Smith, Roman Hruska, Gordon Allott, Norris Cotton, Clifford Case, Hiram Fong, Caleb Boggs, Charles Percy and Ed Brooke.

MEMBERS OF THE SENATE COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS, 92nd Congress, are John Sparkman, Bill Proxmire, Harrison Williams, Thomas McIntyre, Walter Mondale, Alan Cranston, Adlai Stevenson III, John Tower, Wallace Bennett, Ed Brooke, Robert Packwood, William Roth, Bill Brock and Robert Taft, Jr.

Correspondence to Senators should be addressed to them at the Senate Office Building, zip code 20510.

MEMBERS OF THE HOUSE APPROPRIATIONS COMMITTEE, 92nd Congress, are George Mahon, Jamie Whitten, George Andrews, John Rooney, Robert L. F. Sikes, Otto Passman, Joe Evins, Edward Boland, William Natcher, Daniel Flood, Tom Steed, George Shipley, John Slack, John Flynt, Jr., Neal Smith, Robert Giaimo, Julia Hansen, Joseph Addabbo, John McFall, W. R. Hull, Edward Patten, Clarence Long, Sidney Yates, Bob Casey, David Pryor, Frank Evans, David Obey, Edward Roybal, William Hathaway, Nick Galifianakis, Louis Stokes, Ed Roush, Gunn McKay, Frank Bow, Charles Jonas, Elford Cederberg, John J. Rhodes, William Minshall, Robert Michel, Silvio Conte, Glenn Davis, Howard Robison, Garner Shriver, Joseph McDade, Mark Andrews, Louis Wyman, Burt Talcott, Charlotte Reid, Donald Riegle, Wendall Wyatt, Jack Edwards, Del Clawson, William Scherle, Rober McEwen and John Myers.

MEMBERS OF THE HOUSE COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS are Wright Patman, William Barrett, Lenore Sullivan, Henry Reuss, Thomas Ashley, Willima Moorhead, Robert Stephens, Fernand St. Germain, Henry Gonzalez, Joseph Minish, Richard Hanna, Tom Gettys, Frank Annunzio, Thomas Rees, Tom Bevill, Charles Griffin, James Hanley, Frank Brasco, Bill Chappell, Edward Koch, William Cotter, Parren Mitchell, William Widnall, Florence Dwyer, Albert Johnson, William Stanton, Benjamin Blackburn, Garry Brown, Lawrence Williams, Chalmers Wylie, Margaret Heckler, Philip Crane, John Rousselot, Stewart McKinney, Norman Lent, Bill Archer and Bill Frenzel.

Correspondence with Representatives should be addressed to them at the House Office Building, zip code 21515.

TAKE ACTION NOW.
KEEP LIST FOR FUTURE USE.

Gory Details of
Farmers Home Administration Budget
(in thousands of dollars)

Program	1970 actual	1971 as estimated in Jan. 1970	1971 as estimated in Jan. 1971	1972 estimated
Low to Moderate Income Housing:				
Direct	$ 5,330	$ 7,000	$ 7,000	$ 000
Insured	729,411	1,418,000	946,000	1,555,000
Above Moderate Income Housing (Insured)	21,573	000	000	000
Rural Housing Site Development Loans (Insured)	000	000	5,000	5,000
Rental Housing Loans:				
Direct	1,308	2,000	2,000	000
Insured	27,133	35,000	35,000	35,000
Very Low Income Housing Repair Loans (Direct)	5,253	10,000	10,000	10,000
Farm Labor Housing Loans (Insured)	1,549	10,000	10,000	10,000
Farm Labor Housing Grants	2,134	3,761	3,700	3,767
Mutual and Self-Help Housing Grants	000	2,125	2,450	2,450
Self-Help Housing Land Development Fund Loans (Direct)	114	1,600	1,225	1,225
Housing Total	$793,835	$1,489,486	$1,022,375	$1,622,442
Water and Sewer Loans:				
Direct	$ 64,280	$ 40,000	$ 30,000**	$ 000
Insured	81,751	86,000	130,000	189,000
Water and Sewer Grants	46,000	24,000	44,000*	42,000
Salaries and Expenses	71,450	85,000	90,494	92,800

* Congress appropriated $100,000,000

** Congress appropriated $ 98,000,000

THE FIRST ANNUAL MEETING OF THE NATIONAL RURAL HOUSING COALITION will be held in Washington, D. C. on March 23. Subjects on the tentative agenda include: legislative program; organization of state, area and local coalitions; and implementation of existing federal programs. Details on the meeting will be sent to all Coalition members.

A THREE DAY RURAL HOUSING WORKSHOP, SPONSORED BY THE RURAL HOUSING ALLIANCE, will be held in Washington, March 24, 25, and 26. Workshop sessions will cover: basic information on rural housing programs; development of public housing in rural areas; rural community facility development; and rural planning. Registration will be limited to the first 50 who notify, in writing, the Rural Housing Alliance, 1346 Connecticut Avenue, N. W., Washington, D. C. 20036, of their intention to attend the workshops.

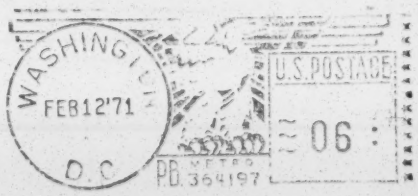
OEO IS PLANNING TO HIRE EIGHT MORE STATE STAP HOUSING SPECIALISTS at salaries ranging between $15,000 and $18,000 a year. OEO is looking for people with experience in rural housing programs and a knowledge of how, why and where local CAAs function. Send resumes to Rural Housing Alliance, 1346 Conn. Ave., N. W., Washington, D. C. or to Frank Haendler, State and Local Government Division, OEO, 1200 19th Street, N. W., Washington, D. C. 20506.

COALITION WINS !!!!!!!!!

On February 11, as this newsletter was being printed, Secretary Hardin announced the funds for rural housing had been restored to the $1.4 billion level.

The coalition requested this action in a letter to President Nixon on February 5. This is a major victory.

RURAL HOUSING
a periodic newsletter published by the NATIONAL RURAL HOUSING COALITION
1346 Connecticut Avenue N.W. Washington D.C. 20036 · (202) 296-4845



Paul Anthony, Executive Director
Southern Regional Council, Inc.
Five Forsyth St.
Atlanta, Ga. 30303

Address Correction Requested

FEB 12 1971

JACKSON AREA COUNCIL ON HUMAN RELATIONS

A Chapter of the Mississippi Council on Human Relations

302 First Federal Building

Jackson, Mississippi 39201

Phone 948-0878

February 8, 1971

Mr. Paul Anthony
Executive Director
Southern Regional Council
5 Forsythe Street, N.W.
Atlanta, Georgia 30303

Dear Mr. Anthony,

The Jackson Area Council On Human Relations is concerned about the patterns of housing in Jackson. It appears to be moving in the direction of continued segregation, with areas moving from White to Black rather than towards integration. We therefore, voted at our last meeting to undertake a project of working towards a stabilization of our neighborhoods in terms of both integration and values.

To do this job most effectively, we would like to ask the Southern Regional Council for help in setting up our organizational structure and strategies. In particular we would like to ask that Mr. Art Campbell be made available to us. Mr. Campbell has already been in Jackson for preliminary discussions with Miss Joan Bowman and Mrs. Jane Schutt and has appeared before the full Council when we discussed and voted on this matter.

The Mississippi Council On Human Relations is giving full backing to this program and we hope to enlist the cooperation of other local organizations as well. We feel with the expertise your office can furnish, along with the efforts of our people, that we can help build a positive stable housing situation in Jackson.

Sincerely yours,

Dick Johnson

Dick Johnson
President

H&P

THE LOW INCOME HOUSING DEVELOPMENT CORPORATION
Post Office Box 1108
Durham, North Carolina 27702

MEMORANDUM:

TO: Mr. Moreland Smith

FROM: Carol Van Alstyne CVA

DATE: February 17, 1971

SUBJECT: Land Bank Roster

This is a list of the participants in the Land Bank Project. We are sending along a roster in response to requests for addresses when the participants need to contact each other.

Land Bank Project Roster
January 1, 1971

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it is the point where the new outer harbor crossing of the Beltway will land. When that happens, more of the land available for blacks in the county will have been taken away.

Much of the housing in Turner's Station was built as temporary accommodation for black workers at the Point during World War II. About 6,000 persons lived there in 1960. Since, the number has been diminished by the removal of some of the wartime housing. When such buildings are condemned and demolished, no new housing is built to replace them. The land is rezoned for industry.

Many of the other black housing areas in the county are vestiges of a rural past, and have been gradually eroded. Some housing is lost to public improvements for roads and county buildings; some is lost to commercial expansion; some to fires, decay, and code enforcement. The two decades that saw the emergence of Towson also saw its black population wither from 700 to about 400. For Baltimore County, the percentage of black population has declined from 6.7 in 1950 to 3 in 1970.

The poor — black and white — are rejects in the laissez faire atmosphere of the county. They are a burden on the tax rate. After the defeat of the urban renewal referendum in 1964, the county's urban renewal and housing agency was abolished. Federally assisted housing programs were successfully discouraged from operating in the county. Official policy has tended to ignore the poor in the hope that they would go away — a policy that has been generally successful in achieving its ends.

County Executive Anderson articulates the view that providing housing for low- and moderate-income families in the county is not a local problem, but a federal one. Meanwhile, jobs continue to move to Baltimore County. During the period from 1963 to 1967, employment grew by 40,000 — about 10,000 in manufacturing. During the same period, the city gained 26,000 jobs, with only 4,300 in manufacturing.

No simple projections for future black population in the county can be made. Attrition in the older rural settlements will probably continue. On the other hand, the predominantly black sector of Baltimore has just reached the invisible western boundary of the city and begun to move across into the county. In addition, the changes in federal policy toward moderate-income housing could have the effect of moving people closer to their jobs. But these anticipations deal only with the future distribution of population, not with the social integration of a society.

There is no regional planning agency operating on such problems as matching jobs and housing in the metropolitan area. Baltimore and Baltimore County face their problems as the two equivalent cities that they are becoming. The Baltimore Regional Planning Council performs some necessary functions. It acts as a coordinator between city and county, and as an effective study and social bookkeeping agency. It has handled planning for medical services and rapid transit, where a high proportion of the funding comes from federal sources, and local agencies are not designated to deal with the problems. But it is effectively removed from the operating decisions that emanate from Towson or Baltimore's city hall.

Planning has been effective in providing highways and schools in Baltimore County, but inadequate in dealing with housing, commercial development, and the treatment of environmental amenities, to provide a basis for dealing with the county's interests for the next decade.

Large-lot zoning and development controls seem to be doing what they were intended to do around affluent Towson, but in the peninsular area the level of housing environment seems to have regressed under these controls.

The public environment is in a state of neglect. Contrast the older public square at Dundalk with the concentration of similar facilities built more recently in Essex. Here, a large new shopping center gazes out on a bare parking lot. Next to it the new area library broods over the same parking lot, cut off from the highway by a sparkling new tire store. That's all.

How much of the future will be enacted in the exurban lands of Baltimore County? Already the pace of development in the peninsular east has slowed. New, higher-cost waterfront and recreational developments seem to prefer Anne Arundel County to the south, where they have accessibility and can tap the Washington market as well.

The well-known new town of Columbia is currently generating the suburban excitement as it booms in Howard County farther out to the west. Here, where current planning and development techniques are applied with skill and verve, hopeful progress in social and racial integration is being made.

Baltimore County finds itself no longer at the physical frontier of suburbanization today. Blight — most evident in commercial structures and detached houses cut off from their neighborhoods — creeps along the highways. In many places, there are surface indications of a failing vigor.

Tomorrow, two cities here will face the future side by side. Then age and creeping ruin, the social frontier, and all the forces which beset the older city will turn their face on the one newly made.

Atlanta In terms of providing low-income housing, 'the county governments want the city to do the job for them.'

Atlanta has moved into the '70s with an extraordinarily tough act to follow: its own. It was, surely, the country's Cinderella city of the '60s. Its population and economic growth attracted almost as much attention as its new baubles of American urban culture: major league sports (with Hank Aaron as resident hero), convention hotels (one with a bluish flying saucer revolving on top to accommodate drinkers and eaters), a culture center (with Robert Shaw on the baton), and merchandise mart display rooms.

Some of the country's fascination with Atlanta arose from the curiosities: a political range that encompassed Julian Bond and Lester Maddox, liberal mayors whose power came from white businessmen and black voters, racial moderation in a sea of segregation. The achievements, surprises, and eccentricities made Atlanta "good copy" for magazines and newspapers and, in most reports, gave it a kind of golden image.

In the national promotion advertisements, Atlanta liked to call itself "a new kind of city"; and in promotion, it had no peer in the nation. Early in the decade Atlanta was advertising its "new kind of city" ways regularly in the New York press; by the end of the decade, other Southern cities which had been left further behind by this blitz were running almost exactly the same kind of advertisements in *Atlanta*-printed publications. By 1970, that was where they could reach executives who might decide about *their* cities.

So much for the Cinderella city of the '60s. There were believers, and rightly so. Atlanta did and does seem to have some decided advantages over most major cities, in room for action, cohesion for decision-making, strong and diverse black leadership, and the degree of economic health in its central city (not to mention some of the pleasures of living). Believers, with their corporation offices and headquarters, often came to Atlanta on the strength of the "image"; and they helped make it so.

Cinderella had to go home at midnight, though, or see her elegance turn to rags. Almost as if its godmother were a census director, the end of the '60s was, for Atlanta, the striking of midnight. Precisely at that time there was an appreciable and definable alteration of the city's temper and mood; a changing of leadership; a new confrontation of the tatters and rags that had been there at home through the distractions of the ball. The latter are most evident in the increasing division between prosperous white suburb and blackening inner city.

This report is no doleful account of the

PAGINATION INCORRECT

end of a Cinderella era. (There were, remember, sisters who never got to the palace, and for them Cinderella-at-the-ball never was a very happy story, anyway.) In fact, the prospects for Atlanta in the '70s seem good, by the standards of other American cities. But the "good copy" of the '60s will not be as good in the '70s if it is the same kind. Determining a good relationship between the central city and the suburbs, between white and black, will be Atlanta's principal challenge in the '70s.

By 1980, the metropolitan area's population, now 1,325,000, is expected to be about 2,000,000. In the area circumscribed by the present city limits, the population is under half a million, and it is expected to increase by 13.5 per cent; and within that area, the inner city is expected to decline by about 12 per cent from the present 264,000. A recent planners' projection indicated that most of the growth will be in suburban counties, and especially DeKalb, now 414,000 and expected to reach 649,300 in the decade. Three less populous counties, having changed from rural to suburban in the '60s, are anticipating 80- to 100-per-cent growth. Racially, though Atlanta is half black, the metro area is about 22 per cent black; that figure is not likely to increase in the decade.

Transportation and growth

In the '60s, expressways and interstate highways substantially reshaped Atlanta. A basic expressway system started in 1949 was rounded out by connection with three cross-country interstates meeting in an interchange close to the downtown, and by a perimeter interstate which is rapidly being lined with industrial parks, office buildings, and residential developments.

The '70s equivalent to the '60s interstate highways will be, for Atlanta, the development of a rapid transit system, whose shape and purpose will largely determine future growth patterns and metrowide relationships. Basic decisions about this billion-dollar system, a part of which could be completed by 1975 or 1976, are being made in an atmosphere of public disinterest on the one hand and disagreement among experts on the other. Will it be designed mainly for suburban residents or, first, for people now without transportation and, second, as a device for directing growth and planning a metro city?

The people of the inner city, largely poor and black, had no control over the development of the highway system. (Expressways alone displaced more than 23,000 persons from 1956 to 1966, without providing alternative housing; urban renewal relocated 80 per cent of the more than 17,000 it displaced.) But, because of the bond issue needed for rapid transit, inner-city blacks will have a powerful vote to influence transit planning. Three years ago the lack of enthusiasm among black voters—about half the city's electorate—was a major factor in defeating rapid transit bonds. A rapid transit issue probably will come before the voters again in about a year, and the Metropolitan Area Rapid Transit Authority at least seems to be working toward placing enough stations in the city's mostly black West Side to satisfy the earlier complaints. If a transit system is designed to meet the needs of those who have no transportation, and if it is used effectively to renovate areas through the placement and planning of its stations, it could be as helpful as expressways were destructive to the residents of the inner city. Beyond that, little thought has been given to how the system may reshape the metro area racially.

Atlanta's suburbs are now so little integrated that, except for areas that appear to be in transition, the whole process is less than nominal and "fair housing" is a theoretical term. In three of the five metro-area counties, there is simply no ascertainable desegregation in housing, except for the remnants of an older South's rural and small-town housing mixtures. Here and there a black family is found in a white neighborhood of DeKalb, Atlanta's principal bedroom county, and Fulton, in which most of Atlanta lies. But real estate firms continue to find ways to circumvent the law, and black disinterest in the suburbs (or concern about what blacks would meet once there) has resulted in much less change than might have been suspected three years ago. In fact, Atlanta as a whole is probably more segregated than it was two decades ago in terms of census tracts with both black and white residents.

Middle-class black housing, in developments, has been extended outward from the central city's older black middle-class areas, though usually these semi-suburban developments are contiguous to the older neighborhoods and consequently represent an extension of the existing pattern. New residential areas for blacks largely follow the geographical lines laid down in the 1940s and 1950s, when City Hall concerned itself with establishing "buffer zones" and corridors to assure that all concerned would understand which sectors were for blacks and which were for whites.

Closer to the newer black areas are the kind of middle-class white neighborhoods which, once Negroes begin to move in, have always begun to change to all-black. One strong effort by blacks and whites to preserve an integrated area in the southwestern part of the city seems to have failed. Some whites fled immediately. But many who stayed were determined to accept integration if they could avoid an overwhelmingly black neighborhood. The pressure on the area, much in demand among middle-class blacks because of a shortage of the housing easily available to them, was too great. Most disastrous was what the city school administration did to hasten racial transition of the area's schools. Despite its failure to produce much integration in the schools, Atlanta was still operating under the "freedom of choice" plan. The school system permitted schools serving the Southwest Atlanta integrated area to become overwhelmingly black in a year's time; the racial nature of the area is following.

Those are the semi-suburban middle-class areas. Whether a similar pattern will develop in areas that are clearly suburban is uncertain.

A test is taking place just outside the city limits in the southern part of DeKalb, where South DeKalb Neighbors has been formed to stabilize an area which otherwise will be just one more transitional community near all-black communities. Residents filed what they believe was the nation's first anti-blockbusting suit brought by private citizens, seeking punitive damages from a real estate company. Since the first black family arrived in 1969, the area has been plagued by real estate operators using, usually subtly, the scare tactics that have always hastened transitions. South DeKalb Neighbors may succeed; but it seems unlikely to unless enough general suburban desegregation takes place in time to relieve it of some pressure.

The income of blacks in Atlanta has risen substantially in the past few years. White-collar blacks employed in government offices alone have added substantially to the number of blacks whose incomes could place them in the white suburbs. They simply are not, with few exceptions, pressing hard to make the move.

The stark fact is that nowhere in the Atlanta area is there even one large and substantially integrated neighborhood that is stabilized racially. That is true of middle-income and upper-income neighborhoods, as well as of declining lower-middle-class and shabbier neighborhoods.

An example of the latter group is Kirkwood, also in DeKalb just outside Atlanta. To say that it has become a slum is to exaggerate. But since it is an area of older houses and since the blacks who moved in are generally of a lower economic class than the whites who have been leaving, it may continue to slide downward. In Kirkwood, crime rates are up and physical decline is evident. That picture is not encouraging to neighborhoods nearby, where whites still tend to associate the coming of blacks with—see what happened in Kirkwood?—a lowering of values and community standards. In the absence of forceful governmental policies, local and federal, to provide a different kind of example in suburban desegregation, that attitude no doubt will remain.

The three-member Georgia Real Estate Commission is headed by a real estate executive who describes himself as a segregationist and whose own firm has been named in one of the few suits filed by the Justice Department anywhere against discrimination by a real estate firm. That would seem to indicate that, though the commission recently adopted an anti-blockbusting policy, it will not do much to enforce it. The FHA sometimes takes small steps to encourage an end to discriminatory patterns, but it remains the principal culprit in Atlanta's suburban residential segregation, largely by failing to undo the segregation it helped create over a period of decades, and by failing to deal forcefully with all the real estate firms that

perpetuate the patterns. Even in the time since passage of the 1968 Fair Housing Act, the Atlanta and Washington administrators of federal programs have helped produce large new areas of segregated housing in Atlanta's suburbs; in that span alone, federal practices have added far more to segregated housing than all the local fair-housing efforts have offset.

Atlanta's suburbs are a mixture of the bedroom-community areas, principally in DeKalb but increasingly moving into other counties; rural counties such as Clayton, little affected by Atlanta's boom until the 1950s but now 96,000 people and expected to reach 193,000 by 1980; and small cities, such as Decatur, East Point, College Park, Hapeville and Marietta, all of which have long histories of their own, though they are now Atlanta satellites. Racially, the smaller cities are usually typically Southern, with their share of blacks. (Decatur, an older town than Atlanta and the county seat of DeKalb, has about an even division among blacks and whites in its main high school.)

The city of Atlanta bears far more than its part of the load of federally subsidized low-cost housing and public housing. Not one of the five county governments of the metro area has a "workable program," so that none may receive funds for public housing or urban renewal. This may be assumed to be a calculated policy. For a time DeKalb, under a progressive administration later defeated at the polls, had a workable program; when the administration changed, it was allowed to lapse. The county governments want the city to do the job for them.

To meet that problem, the Atlanta Housing Authority has moved to obtain land outside the city and to place some public housing there. In the first test of this, Congressman Fletcher Thompson did his best to block the housing, but he was overridden by HUD. The commission of Fulton County, where the housing would be, had given its approval; the Congressman perhaps had more sensitive political ears. Thompson and his suburban colleague, Ben Blackburn of DeKalb, now are very much a part of Atlanta's problem in finding ways to scatter low-income housing and to break up the ghettos. They replaced incumbents who would have had an opposite inclination.

Despite the appearance of numerous office manufacturing parks on its periphery, Atlanta has maintained the strength of the central city. In the 1950s, when downtown business was worried about the pull of the suburbs, the city encouraged massive construction of parking facilities, business development of areas cleared by urban renewal, and expressway convenience in reaching central business points. The design of the rapid transit system probably will have similar influence, insofar as downtown business is concerned. Atlanta's tax digest defies the common cliché about major cities; it has grown rather than declined as the suburbs have developed.

Metro government has been discussed for years, but it seems as distant now as ever. Mayor Sam Massell, elected in 1969 with overwhelming black support, looks askance at proposals for metro government and for the merger of Atlanta with Fulton County, a move which would somewhat whiten the electorate. Strong arguments—including the valid question of "What's in it for us?" from white as well as black residents of the city itself—can be made against city-county merger. It may come, however, since the Georgia Legislature can enact the change and since the city often is frustrated by the failings of the county government.

Mayor Massell has advocated a Minneapolis-St. Paul type of metro cooperation in lieu of metro government and county merger. Cooperation among the five metro counties and their 45 municipalities (with 38 water systems and 23 sewer systems) has increased in recent years. The Metropolitan Planning Commission, established in 1947 and enlarged in 1960 to guide and coordinate physical planning in the five counties, is the oldest publicly supported areawide planning commission of its kind in the country. Its influence is great but its powers limited; the most important recent increase in power came when Washington, under the "A-95" requirement, gave it the authority to grant or withhold approval of numerous federally funded projects.

The planning commission has been instrumental in the creation of metrowide organizations: the Metropolitan Council of Governments, a largely powerless consultative body; Metropol, for police cooperation; the Metropolitan Atlanta Health Planning Council, an umbrella for HEW grants channeled through the state government; the Atlanta Area Policy Committee, which deals with transportation policy decisions; the Metropolitan Council of Alcohol and Drugs, and others. The Metropolitan Atlanta Rapid Transit Authority is the most important metro organization, except, possibly, for the planning commission itself. A most urgent need is for a metro for comprehensive planning with power to enforce regional decisions.

Help for Cinderella?

For help in extending the authority of metro organizations, Atlanta has to look principally to the state. It was the state that made possible the rapid transit authority. The increasingly urban nature of Georgia makes the legislature more responsive to some of Atlanta's needs, despite a long history of rural and small-town orientation. Georgia is ahead of most states, on paper, in area planning, and the new governor, Jimmy Carter, has long had a strong interest in the area planning councils. (The Metropolitan Planning Council is one of these 19 multi-county apparatuses.)

To most people aware of what the state does not do to help the cities solve core problems of race and poverty, the prospect is discouraging, but gradually Atlanta will have to find more of its metro solutions through the legislature. The state does have an extraordinary interest in seeing Atlanta move forward. The capital city is the dynamo amid many areas which are economically soft and whose populations are declining. Far from representing an economic rival, Atlanta is a magnet which has benefited the whole state economically. Whether this consideration can be translated into enlightened self-interest that will move the state to foster political and social progress in the metro area remains to be seen. But the Cinderella of the '60s was a beautiful presence for Georgia, and the state will have to help substantially if she is to get back to the palace in the '70s.

Chicago

Metropolis today means 'segregation—of land uses, activity systems, income groups, family types, and . . . minorities.'

During the summer of 1966, Chicago's racial problems exploded in headlines across the country. The massive conflict centered on racial segregation in housing, in the attempt to eliminate artificial constraints on the housing choice of Chicago's black population.

The late Reverend Dr. Martin Luther King Jr. of the Southern Christian Leadership Conference, along with the Chicago Freedom Movement, initiated a series of marches and demonstrations in and around Chicago. At a rally held in Soldier Field, Dr. King said, "For our primary target we have chosen housing. As of July 10 we shall cease to be accomplices to a housing system of discrimination, segregation, and degradation. We shall begin to act as if Chicago were an open city." The housing marches were met with violence and widespread hostility, and received nationwide attention.

In response to this crisis, the leadership of business, labor, government, civil rights, housing, industry and religion made commitments in a series of meetings to create a single, nondiscriminatory housing market throughout the Chicago metropolitan area. The organization designated on December 6, 1966, to carry out this mandate was the Leadership Council for Metropolitan Open Communities.

How successful have the council's programs been in desegregating black Chicagoans and, in particular, in opening up previously all-white suburbs?

For information
Work

Wilson & Snibbe
Architects/Planners/Engineers
An Urban Design Collaborative

209 West 125th Street
New York, N.Y. 10027
(212) AC 2-6193

March 3rd, 1971

Mr. Moreland Griffith Smith, FAIA
Southern Regional Council, Inc.
5 Forsyth Street, N.W.
Atlanta 3, Georgia

Dear Sir:

Since meeting you and Mrs. Smith at the Boston AIA convention I have desired writting you. Your being associated with the Southern Regional Council reminded me of my past membership in the Southern Conference on Human Welfare. It may be strange since I have been here in New York for a long time, that I still have strong feelings for the South. I think the solution of the problems of humanity can best be solved by cooperation and mutual respect. My Southland has made great steps forward since I "immigrated" to the North.

I would like to know more about the work of the Southern Regional Council. Perhaps you will favor me with information.

My New York Chapter, AIA has seen fit to nominate me to Fellowship in AIA. I await the approval of the National organization. To be sure, for me a native of Mississippi, being a Fellow will mean more than that great honor can ever mean to any other Architect. I feel that I have your good wishes in this regard and am hoping to see you at the Detroit convention.

I enclose my late brochure.

My wife joins me in sending fond regards.

Sincerely yours,

John Louis Wilson

John Louis Wilson

JLW/em

John Louis Wilson, AIA
Architect, Partner
Richard W. Snibbe, FAIA
Architect, Partner
Robert W. Hegardt, AIA
Architect, Hospital Consultant
Irving Teich, AIA
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CP / Henry & Plaza — File - to Project

THE NEW YORK TIMES, SUNDAY, MARCH 7, 1971

JW

A Power Struggle Divides Rights Project

By JAMES T. WOOTEN
Special to The New York Times

GREENVILLE, Miss., March 6—A power struggle rooted in ideological differences has jeopardized the future of the Delta Ministry, which was once regarded as one of the most energetic and innovative civil rights enterprises in the South.

Long-simmering dissensions between a leadership sympathetic to black separatism and a staff committed to interracial cooperation burst into discord here yesterday in a closed hearing before representatives of the group's sponsoring agency, the National Council of Churches.

The Delta Ministry has been active in voter registration, citizenship education, welfare rights, relief of the indigent and other social activities. From a high in 1966 of 55 staff members and volunteers, the program has been steadily reduced by a lack of funds. This year's budget is about $125,000, down from $31,000 in 1970.

Ten of the ministry's 14 staff members said they had asked at the hearing for the dismissal of the six-year-old organization's director, Owen Brooks, whom they consider a disciple of separatist philosophies.

They accused him of alienating potential allies, discouraging and repressing indigenous leadership and creating "a constant aura of tension, criticism and exploitation."

Impairment Charged

They also charged that the effectiveness of the program had been severely impaired by the director's policies.

Mr. Brooks, a Massachussets native who has held his post since 1966, declined to comment on the charges. But he did confirm that the staff members had asked at the hearing that he be dismissed. Dr. Jon Regier, a council executive, earlier denied this.

Dr. Regier, associate general secretary of the Division of Christian Life and Mission, said there had definitely not been any requests for Mr. Brooks's dismissal.

The churchman, in a gray beard and brown tweeds, seemed intent on playing down the importance of the closed hearing. He described the complaints as "just a bit of a problem" and discounted the insistence of the disgruntled staff members that the Delta Ministry and reached a "crisis point" in its existence.

'Proper Action' Pledged

Dr. Regier said that the record of the hearing would be forwarded to the Commission on the Delta Ministry, an agency of the council, and that the commission, in a meeting later this month, "will take the proper action, if any, on this little matter."

The 10 dissenting staff members, nine blacks and one white who call themselves the the Concerned Staff of the Delta Ministry, earlier sent to 20 "friends" of their organization a telegram in which they said that "the purpose of promoting justice, love and equality for the liberation of the poor has been lost."

They requested an immediate investigation, and as a result yesterday's hearing was scheduled.

According to the 10 dissenting staff members, the dispute within the organization deepened after Mrs. Sarah Johnson, a secretary in the ministry's headquarters here in Greenville, was dismissed by Mr. Brooks, who is black, for "acts of insubordination."

Mrs. Johnson asked Dr. Regier for a hearing on her dismissal, and seven other staff members wrote letters to Dr. Regier supporting her request. On Feb. 11, Dr. Regier wrote to Mrs. Johnson, denying her request. The next day, he wrote a similar letter to the staff in which he said, "It is clear to me that Mr. Brooks's action is well within National Council personnel policy."

Hearing Asked

That same letter informed the staff members that there would be substantial reductions in the program of their organization.

On Feb. 15, Mr. Brooks terminated the employment of five of the staff members who had supported Mrs. Johnson's request for a hearing. He cited the cutback in funds as the reason for the dismissals.

About a week later, on the same day that the telegram of protest was sent, Jean Phillips, also a secretary in the Greenville office, resigned in protest against Mrs. Johnson's dismissal.

Thus, in four weeks, the staff members contend, the ministry staff was cut in half by the dismissal of Mr. Johnson, the five terminations and Miss Phillips's resignation.

The contention of the staff members who asked for the hearing yesterday is that because of their friction with Mr. Brooks over various issues—primarily the question of whether the Delta Ministry should be involved in interracial pursuits or all-black programs—they have been forced out of the organization.

The commission will have to decide if this is true.

*WESTLAKE OF DEKALB

Conservative to Head HUD in State?

By DAVID NORDAN and DON WINTER
Journal Washington Correspondents

WASHINGTON—One of the more militant GOP conservatives in the Georgia House of Representatives may be named by the Nixon administration to head up operations of the U.S. Departmtnt of Housing and Urban Development (HUD) in Georgia.

The position would give the Georgian immediate sway over any efforts aimed at achieving HUD Secretary George Romney's announced policy of integrating the suburbs.

But where do housing officials live?—Page 11A.

And, according to observers, Rep. James R. Westlake of DeKalb County would likely be one of the last persons who could be expected to do anything to push construction of low-rent housing in white suburbia.

During the past year, he has been a leader of South DeKalb homeowners fighting at least one low-cost housing project and several apartment zoning applications.

ON THE POTOMAC

Westlake, an insurance man who hails from staunch consvative South DeKalb, is a proclaimed foe of "the Kennedy-LBJ-Mackay-Weltner brand of liberalism." A few years back he made headlines by sponsoring, and pushing heavily for, a Georgia un-American activities committee which would have had full subpoena and investigative powers.

According to sources here and in Georgia, he is one of two final contenders for the important HUD job.

TWO WEEKS ago, it is reported, he was vying with Atlanta Rep. Rodney Cook, a former city alderman and a 1969 mayoral candidate, and Savannah Rep. Herbert Jones Jr.

Cook and Jones also are Republicans.

The HUD area directorship is a patronage job on which Secretary Romney will have to make final approval. The name of the nominee is sent up by GOP congressman Ben B. Blackburn and Fletcher Thompson and national committee members Howard "Bo" Callaway of Pine Mountain, and Florence Cauble of Canton.

Westlake purportedly was being backed by Rep. Blackburn, three-term congressman from Decatur; and Cook, for a time at least, was Rep. Thompson's man.

Jones's name reportedly was offered to avoid a possible conflict between Thompson and Blackburn and a subsequent party squabble.

However, Cook apparently has taken his name out of the running for the job, which will pay from $24,000 to $31,000 a year, because he would have to give up his Atlanta insurance business.

THE HUD JOB is a new post being created as part of Romney's program to decentralize the field operations of his agency.

The area office in Atlanta, which will open in September, will pass on all applications for low-cost and other federally sponsored public housing programs in all 159 counties of Georgia.

The Atlanta facility is to short circuit some of the red tape involved in the housing programs by by-passing the HUD regional office and processing applications straight on to Washington.

Consequently, the activities of the HUD regional offices, which performed the same functions but on a multistate basis, will be scaled down.

According to sources, the name of the state GOP's choice for the job is on Romney's desk and will be passed on in the near future.

At this point, it would seem that the nominee is either Jones the Savannahian who is a close friend of GOP moneyman Roy Foster of Wadley, or Westlake.

STATE REP. JAMES R. WESTLAKE
Proclaimed Foe of Liberal Leaders

If it is the latter, many feel Atlanta suburbanites who yearn to keep public housing for the poor and the black confined to the central city may have gained a powerful ally.

Old Enemies Unite

Rep. Phil M. Landrum is one of the more outspoken men in Congress. Last year during consideration of a textile quota bill, he was asked to comment on a proposal by Liberal Rep. Sam Gibbons of Florida, a free trade advocate.

The Gainesville congressmen shot back: "I've never been on Sam Gibbons' side yet."

Last week he was. Landrum reacted to the Lt. William Calley's guilty verdict with a strong denunciation of the conduct of the Vietnam war, and when the draft bill came up for a vote, found himself on Sam Gibbons' side, voting against it.

Brinkley Gets Aide

The latest in the string of aides that have been coming and going to and from the offices of the Georgia delegation is a brand-new graduate of the University of Georgia School of Journalism who will become press aide to Jack Brinkley of Columbus.

Rodney Smith, 23, Martinsville, Va., reported to work Thursday in Brinkley's office. He is a former public relations officer for the Federal Environmental Protection Agency office in Athens and a staff writer for the Red and Black — the Georgia campus newspaper.

Brinkley, normally one of the most quiet members of the delegation, has never had a full-blown press aide as such. Apparently the uproar around Columbus wrought by the Calley trial and the threat of military cutbacks at Ft. Benning have convinced the soft-spoken congressman he needs to raise his voice more often.

Georgians Junket

As far as international junketing went, 1970 was a middlin' good year for the Georgia delegation.

Last year four of the 10 house members managed to squeeze in trips to 11 countries, all between January and early April, at an indirect cost to the taxpayers of $5,703.50.

As travel years go, this was somewhere along the middle of the scale.

The Georgians have measured mileage both lower and higher in recent years.

Eighth District Rep. W. S. "Bill" Stuckey of Eastman led the travelers in the amount of money spent but only because Rep. Fletcher Thompson of East Point, who traveled on the same trip, took his wife along.

Because he had to pay Mrs. Thompson's fare on a swing through South America to inspect stock exchanges and tourist facilities, Thompson flew tourist.

Stuckey, as is customary on official committee business, went first class. The difference came to $239. Stuckey spent $1,691 and Thompson, $1,452.58.

THE PAIR, both members of the Interstate and Foreign Commerce Committee, spent four days in Mexico City, two in Venezuela, a week in Brazil—mostly in Sao Paulo —and a day in Trinidad.

First District Rep. G. Elliott Hagan found it necessary to inspect military post exchanges and commissaries in Germany, Italy, Spain and England. He stayed in each country from one to three days and spent $1,026.

Fourth District Rep. Ben Blackburn rounded out the list of delegation travelers by hitting four countries, on two different trips, at an expense of $1,533.

The Decatur Republican journeyed to Nicaragua and Guatemala and spent four to five days in each place as a Banking and Currency, Committee delegate to the Eighth Annual Savings and Loan Conference.

He later went to Japan and Korea to an Asian development bank meeting.

THERE WAS no committee travel logged on the Senate side of the Georgia delegation although Sen. Herman E. Talmadge managed to travel to the West Coast and Alaska on an Air Force plane with Sen. John Stennis of Mississippi, chairman of the Senate Armed Services Committee.

The party went out to inspect military installations and figured while they were there they might get in a little fishing.

The travel pace set by the Georgia delegation last year promises to pick up this year as the group is already off to a good start.

With the Congress no more than two months old, at least five of the 10 House members had already found themselves called out of the country on official business.

Sand Traps and Rough Aren't Main Hazards Today's Golfer Faces

* * *

Golf Carts Are Worst Hazards, Some Hobbled Golfers Say; Beware the Tanked-Up Driver

4/20/71

By BILL PAUL
Staff Reporter of THE WALL STREET JOURNAL

It's a tough game. Each year, scores of players are carried away with broken bones, crushed ribs and torn ligaments. R. E. Lassa of Muskego, Wis., came away from a session with a triple fracture of the ankle and a dislocated shoulder. A lady in Pittsburgh suffered a severely fractured leg and knee that kept her in the hospital for 11 weeks and on crutches for a year. The National Safety Council is predicting "several thousand" mishaps this year.

What fearsome sport speak we of? Alligator wrestling? Street fighting? Free love? Nope. Golf.

Well, not really. Golf itself is quite safe, the greatest risk being the possibility of a long drive plunking some poor fellow in the wazoo. The *real* danger is golf carting. Many golf carts, it seems, are unsafe on any fairway.

Who would have guessed it? Well, the Ward brothers, Harry and Alton, for two. The Wards, of Winston-Salem, N.C. (Harry), and nearby Goldsboro, N.C. (Alton), were tooling along the fairway of the Pinebrook Golf Club in Winston-Salem when their three-wheeled cart came to an old wood-plank bridge and rather abruptly became a two-wheeled cart. The cart plunged 15 feet to the rocks below. Harry was thrown to safety. Alton ended up dangling by his fingertips from the side of the bridge. But neither was maimed for life. They patched each other up at the clubhouse and went back on the course to finish their round.

Get This, Ralph Nader

Some aren't so lucky. The National Safety Council is unhappy enough about the increasing numbers of golfers getting mangled in golf cart accidents that it has declared carts "a safety problem that warrants immediate attention."

More and more, golf cart accidents are winding up in litigation. Mr. Lassa of Wisconsin and the broken ankle, recently won $97,500 from the golf course involved in an out-of-court settlement. The brakes on his cart failed as he was whizzing down a hill; he slammed into a fence and another cart. The Pittsburgh lady is suing her golf course for $75,000. She was thrown from her cart when the steering wheel snapped and the cart veered sharply.

Gold cart manufacturers—who insist upon calling golf carts golf cars—say the trouble is with the drivers, who often are older folk with slow reactions and poor eyesight. Not to mention the terrain they drive on—the sharp turns and steep inclines that make golf courses golf courses instead of fields. Notes one golf club manager: "If you go sideways along a hill, there's a danger the cart will roll over on you." No small danger, that; golf carts generally weigh 900 pounds.

But attorneys who handle golf cart liability suits say the fault is with the manufacturers. One calls the golf cart "golf's hidden danger," and says, "Many are unstable and serviced by ordinary greenskeepers." Manufacturers concede the 50 or so cart makers that sprung up in the 1950s—there are around a dozen left—turned out a lot of flimsy vehicles, many of which are still around because golf course managers keep renting them out year after year for fat profits. (A golf cart costs around $1,500 and a golf course can make over $2,000 per season renting one out at $10 per round or higher.) Naturally, there is little incentive for a golf club to scrap a cart until it absolutely has to.

But the golf carts coming off the golf cart assembly lines today are much safer, manufacturers insist, and steps are being taken to improve performance standards even more. The American Golf Car Manufacturers' Association, an association of American golf cart manufacturers, says it is investigating such things as golf cart speed—12 to 15 miles per hour is tops for most carts, but one can pick up considerable speed whizzing down a hill. The trade association says it expects a report by the end of the year recommending new standards that may result in better steering, braking and balance.

Fun Times in Golden Valley

But some say the balance of the golf cart drivers is the real problem. "Liquor on the course is our number one nemesis," laments Charles T. Hvass, president-elect of the Golden Valley Golf Club of Golden Valley, Minn., a suburb of Minneapolis. Mr. Hvass recalls that some members of a local civic club on an outing last year got so tanked up that they started playing "chicken" in their golf carts, ramming into one another head on.

It turned out that no one was injured, but then Mr. Hvass figures that "even if they had been hurt, they probably wouldn't have felt any pain."

Golfers, in defense, say one of the reasons it's hard to stay sober is that many clubs encourage guzzling—by placing "water holes" at strategic points along a course.

One group of golfers unlikely to suffer golf cart injuries is the pros. For one thing, carts are banned from most pro tournaments. For another, most pros prefer caddies, many of whom are knowledgeable about the courses on the pro tour. Says a spokesman for the Professional Golfers Association: "It's a little difficult to get advice out of a golf cart."

ATLANTA CONSTITUTION

4/19/71

New Firm To Aid in Housing

A mortgage banking firm specializing in obtaining funds for the small investor in commercial property and in making it easier for low-income families to buy homes has been established by eight black Atlantans.

City-wide Mortgage Corp. was founded by Miller Johnson Jr., of Miller Johnson and Co., who is its president.

Johnson said City-Wide would work "in close cooperation" with the Scott Hudgens Mortgage Co. in obtaining funds for its activities.

CITY-WIDE PRESIDENT
Miller Johnson Jr.

Johnson said City-Wide "is attempting to make it easier for persons traditionally prohibited from buying their own homes or property by the lack of ready cash or credit" to obtain Veterans Administration and Federal Housing Authority loans.

City-Wide is the second firm of its kind to be formed in the South under black ownership.

Apr 20, 1971

Housing Study Set By Lawyers

Special to The Constitution

ST. LOUIS, Mo. — Atlanta attorney John L. Moore Jr. and other members of the American Bar Association are here this week to discuss housing problems and to be briefed on a project in Atlanta.

Plans for starting a "Lawyers for Housing" program in Atlanta to be sponsored by the ABA in cooperation with the Atlanta Bar Association will be detailed.

Moore, an attorney with Alston, Miller & Gaines in Atlanta, will also participate in the first national seminar dealing with "The Lawyer and Housing and Urban Development."

4-71

Please return
Joy

JOSEPH H. BATTLE
3129 Keswick Road
Shaker Heights, Ohio 44120

Dear Sponsor of Open Housing:

As a black American and a Realtor, I know from personal experience that equal housing opportunity in an open society, although guaranteed by law, is far from a reality. From personal experience as head of the Cleveland Urban League's Operation Equality, I also know it can become reality.

In 1968, a Federal Fair Housing Law and a US Supreme Court decision banning all housing discrimination gave us an opportunity to end racial segregation in housing. With the law now firmly on our side, widespread local and personal action can make rapid changes in housing patterns.

SPONSORS OF OPEN HOUSING INVESTMENT (SOHI) works with individuals and groups across the country to spark development of local multi-racial housing. The enclosed report from Jack Tatum, SOHI's new Field Secretary, to Congressman Fraser tells how SOHI continues to expand its activities - it makes exciting reading.

NATIONAL NEIGHBORS, as you remember, is the new and growing association of interracial neighborhoods founded with SOHI's help. Its member groups are actively challenging housing industries to implement open housing.

In working to stimulate local efforts, SOHI and National Neighbors have the advantage of leverage - each unit of work or money brings magnified results as it helps local persons and groups to act.

I urgently ask your support in strengthening this work. Please fill in the enclosed card and send it along with a check to Congressman Don Fraser, Chairman, SOHI, 1914 Connecticut Ave., N. W., Washington, D. C. 20009.

Your generous tax-deductible gift today will help SOHI and National Neighbors work in more communities that ask - and need - our aid.

Sincerely

Joseph H. Battle

President, National Neighbors

P. S. An autographed copy of James Hecht's excellent book on tactics of community action, BECAUSE IT IS RIGHT - INTEGRATION IN HOUSING (Little Brown & Co., Boston, 1970, $7.50), will go to all who send $16 or more to SOHI. With your help we can point the way together towards an open, humane society.

4/71

J.W fyi please return file H&P.

JACKSON AREA COUNCIL ON HUMAN RELATIONS

108 South President Street
Jackson, Mississippi 39201

JUN 10 1971

Dear Fellow Jacksonian:

In its recent report on housing in Jackson, the Chamber of Commerce Task Force on Housing estimated that "...14,000 of the city's 53,000 housing units are substandard, and that 7,000 of these substandard units are delapidated beyond repair." It also reported a vacancy rate of approximately 1% (with 4% or less considered an emergency).

What other problems exist in the area of housing? What steps are being taken - by the city, by groups of citizens, etc. - to meet Jackson's housing needs?

How much do you know? What can you do?

On Saturday, June 19, a workshop on "HOUSING: FACTS AND CHALLENGES" will be held at Farish Street Baptist Church, 619 N. Farish Street, from 9:00 a.m. until 4:00 p.m. This workshop is being sponsored by the Jackson Area Council on Human Relations in the interests of the entire Jackson community. You are cordially invited to participate.

It will be possible to register on the day of the workshop, but early registrations will be appreciated. A registration fee of $2.00 will cover the cost of lunch and workshop materials. For further information call 948-0878.

I wish to register for the workshop HOUSING: FACTS AND CHALLENGES

Name _____

Address _____

Phone _____ Registration fee ($2.00) enclosed _____

Mail to: Housing Workshop- Jackson Area Council on Human Relations
108 South President Street
Jackson, Mississippi 39201

HOUSING: FACTS AND CHALLENGES

A Workshop Sponsored by the Jackson Area Council on Human Relations

June 19, 1971
Farish Street Baptist Church
619 N. Farish Street

9:00-9:30 - Registration. Coffee and doughnuts.

9:30-9:45 - Introduction to the Workshop
- Mrs. Ruby Lyells, Vice-President, Jackson Area Council on Human Relations

9:45-10:00 - Opening Remarks
- Mayor Russell C. Davis

10:00-12:00 - Panel I: HOUSING PRODUCTION: WHAT CAN BE DONE IN JACKSON?

Chairman: Rev. Hickman Johnson, Jackson Housing Authority

Overview: Arthur C. Campbell, Southern Regional Council

Federal Housing Administration
- Calvin Hopper

Jackson Housing Authority
- Steve Burwell

Chamber of Commerce Task Force on Housing
- Herman Pride

Mississippi Industrial and Special Services
- Sam Nicholas, Jr.

Research and Development Center Report on Housing
- Mrs. Peggy Mullins

League of Women Voters
- Mrs. Mary Ellen Epting

Non-Profit Housing
- Albert Mercier, Mississippi Catholic Housing Services

Building
- Dudley White, White Realty

Questions and comments.

12:00 - Lunch

1:00-2:30 - Panel II: EQUAL OPPORTUNITY: WHAT CAN BE DONE IN JACKSON?

Overview: Horace N. Barker, Jr., Southern Regional Council

Open Occupancy
- Dr. William H. Brooks

Neighborhood Stabilization
- Mrs. Mary Baker

Special Problems of the Poor
- Mrs. Fanny Reed, Mrs. Patt Derian

Future Residential Patterns
-

2:30-2:45 - Coffee, cokes.

2:45- 3:30 - Special Interest Groups: Discussion for Action

3:30-4:00 - Reports, Resolutions, Commitments

Peggy Helton - Realtor -
Pat Chapman - CRC

H & P

Sponsors of Open Housing Investment

SOHI

1914 Connecticut Avenue, N.W., Washington, D.C. 20009 (202) 265-9448

June 30, 1971

Dear Open Housing Supporter:

May of you, we are sure, have wanted to meet the man personally responsible for the establishment of racially open communities in varied areas of the country.

SOHI, Sponsors of Open Housing Investment is pleased to invite you to join us and the hosts listed below in a series of house meetings in the Atlanta area where Morris Milgram will discuss the future of open housing and the new SOHI program. Note enclosed Christian Century editorial hailing SOHI's work.

It is our position that the question of equal access in housing must be resolved within the decade of the 70's or we must be prepared to face social consequences of very grave proportions in the decade of the 80's.

Our hosts join us in extending this invitation for an enjoyable and exciting evening to talk with Morris Milgram - one who works now to create unrestricted housing choices - who will present new and refreshing methods of vigorously creating a truly open housing market.

Do plan to bring a friend and to come early for refreshments, which will precede these meetings at the homes of:

Moreland & Marjorie Smith 38 Peachtree Circle, N.E., Atlanta	(892-7850)	Monday, July 26, 10 a.m.
Helen Horton 2228 Nivelle Drive, Decatur	(241-0505)	Monday, July 26, 8 p.m.
Clarence & Margaret Bolden 3543 Lynnfield Drive, S.W., Atlanta	(349-0627)	Wednesday, July 28, 8 p.m.
Ramona Cowart 70 Old Ivy Road, N.E., Atlanta	(233-7340)	Thursday, July 29, 8 p.m.

Please check the meeting you plan to attend and return the enclosed slip to: Jack Tatum, Field Sec., SOHI, c/o Interfaith, Inc. 881 Peachtree St., N.E., Atlanta, 30309. (Phone 872-2390)

Cordially,

Nat Welch

Nat Welch, Executive Director
Atlanta Community Relations Comm.

Lyndon A. Wade

Lyndon A. Wade, Executive Director
Atlanta Urban League

Jacob M. Rothschild

Rabbi Jacob M. Rothschild

Eleanor L. Richardson

Eleanor L. Richardson

Eugene H. Bowens

Eugene H. Bowens, President
Interfaith, Inc.

Billie Pfiffner

Mrs. Harry A. Pfiffner
Past President, Georgia
League of Women Voters

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Honorary Chairman (1964-1968)

BISHOP JOHN M. BURGESS
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DR. HOMER A. JACK

ANNE W. SHULL
Administrative Director

JACK TATUM
Field Secretary

SOHI Formerly NCTI: National Committee On Tithing In Investment

6

Critics Rap Nixon View On Housing

7/4/71
Atlanta Constitution

WASHINGTON (AP) — A coalition of major civil rights and urban organizations said Tuesday President Nixon's open housing statement "has diagnosed a cancer and prescribed aspirin as the remedy."

"While we are greatly disturbed by the negative aspects of the President's statement and the failure of the administration to take firm steps to assure equal housing opportunity, we are not bereft of hope," said the Leadership Conference on Civil Rights. It was joined by such other major organizations as the National Urban Coalition and the NAACP Legal Defense and Education Fund.

"The administration has recognized for the first time the seriousness of the problem and has taken the first halting steps toward solutions," said the statement responding to the President's June 11 open housing policy announcement.

In a related action, the leadership conference said ithas written all major 1972 presidential possibilities challenging them to state their own policies on "expanding and creating housing opportunities for all people at all income levels in an open society."

Bayard Rustin, chairman of the executive committee of the leadership conference, said the letters were sent because most politicians "do not want to declare themselves on so sensitive an issue." He said the group hopes to "force them on the record."

In regard to the Nixon administration's open housing policies, the civil rights organizations said:

"It is the President's duty to counter prejudices and fears, to make clear that the remedies are not to impose a quarantine or to reinforce the ghetto conditions that bred them in the first place; to place before the American people the hard alternatives they face in the cities; and to offer programs responsive to legitimate concerns."

Specifically the leadership conference and its allies criticized the administration for:

—"Failure to challenge zoning ordinances and other exclusionary devices that bar people who are poor and members of minority groups from obtaining decent housing outside ghettos.

7/14/71

1) We welcome this further indication that you intend for your administration to use governmental machinery to solve problems that ~~affectall the people~~ all ~~sge~~ segments of the Georgia community.

2) We suggest that your charge to the committee be broadened to include all aspects of housing discrimination so that they will not feel confined to the single issue of blockbusting.

3) We ~~I can understand~~ realize that you might have limited your charge to the committee ~~to make its endeavors parallel to~~ becuase current state ~~legis~~ law is so limited. But as we ~~I~~ have indicated a this true effective problem solving approach would find such a limitation self defeating.

4) Ideally, all citizens should ~~would~~ have equal access to housing, without any racial bar whatsoever. Short of that ideal it might be argued that "blockbusting" at least serves black interests in that it helps secure new options for housing albeit on a discriminatory basis. To accept such an argument is to ignore the undue financial loss to whites and costs to blacks in a blockbusting situation. And it is to ignore ~~that~~ the root problems of discrimination and prejudice which make it possible for such situations to arise.

The continuing failure of governmental bodies to deal adquately with discrimination increases the ~~pressure~~ liklihood that blockbusting-like tactics will be used both to secure profit and to ~~widen~~ increase the housing supply for blacks.

EVIA -
Here is my proposed letter to Carter. AC.

July 14, 1971

The Honorable Governor Jimmy Carter
Atlanta, Ga.

Dear Sir:

We noted with interest your recent appointment of a six-member committee to investigate blockbusting. Because this move seems to typify your Administration's overall effort to make government solve problems confronting all segments of the Georgia community, however sensitive politically, it is more significant.

Insert 1

Its primary significance, we believe, lies in the fact that beyond the urgency of halting a "corrupt" practice is the necessity to alter in a lasting and fundamental way, not only real estate practices, but, all the forces ~~xx~~ that conspire to cause a Black Georgian to buy a house in an all-black area because he would rather not ~~risk the~~ suffer the inconveniences of buying (or attempting to) in an all-white area; or on the other extreme those forces that downright forbid him to buy a house he truly desires and can afford because it happens to be located in the "wrong" section of town.

~~It seems axiomatic~~ We believe that any committee, designated to address itself to the "unethical business practice" of blockbusting, must also be willing to look at the larger issue of discrimination in housing.

Blackbusting is not the taproot of housing discrimination. However, the amount of blockbusting in a given city is directly proportional to the amount of housing discrimination, subtle, overt or otherwise. In light of this correlation any serious effort to find ways to end blockbusting must necessarily deal with ~~the~~ housing discrimination. In spite of the interelatedness of these two issues ~~the~~ your Committee might , as directed, deal only with blockbusting. ~~There-~~

Insert 2

~~In spite of the inherent inability of the Committee to focus on one of these areas exclusive of the other~~ ~~for we think our charge~~ Since your charge, naturally, to the Committee acts as a parameter we suggest that it be broaden and reissued.

Insert 3

We trust that blockbusting was not singled out for state attention because it is merely to your administration the most unpalatable manifestation of housing discrimination. ~~However~~ Such a conclusion, however, proceeds logically from previous state action on the question. I make reference to your blockbusting committee and the anti-blockbusting law passed by the Georgia Legislature during the previous Administration. (and in the private sector there is the continuous projection by the news media of blockbusting as the sole evil of housing discrimination.)

?.tw

E.V. #3

We think it is unfortunate that previous state action and most news coverage have focused on blockbusting.

Insert 4

We hasten to point out a major benefit accruing to Blacks from blockbusting. The most obvious is the resulting availability of a new supply of decent, sanitary, dwellings in a suitable living enviroment. When one considers the restricted range ofhousing choices available to Blacks this method of supplying housing ~~xx~~ can be extremely important. And to the extent that these choices are restricted due to (racial) discrimination is the extent that anti-blockbusting efforts are pro-segregation and harmful to the best interest of Black Georgians.

Not so for a state that is to where state

In spite of the failure of public entities in Georgia (Ga. Real Estate Commission, Ga. Legislature, Governor's office, zoning boards and housing authorities) to act in small ways to secure equal access to housing for Blacks, we cannot advocate blockbusting. ~~x~~Neither can we condemn neighborhood stabilization projects, even-though they say to some Blacks -- "there are enough Negroes in this neighborhood; go elsewhere". Stabilization ~~is not a~~ solution to blockbusting but , instead, is a means of "sandbagging" ~~against~~ the flood of racial fears of ~~residents of~~ whites in transition areas. Unless an attitude of fair housing is established, stabilization is doomed to failure and blockbusting is destine to thrive.

ok tc

~~So~~ W, with ~~all~~ due respect for the action you have taken we felt compelled to point out its limitations and inequities, now, while the Committee is just beginning its study and deliberations.

Be'll Albuquerque?

We attached no particular significance to the absence of any Blacks on this Committee; except that it becomes more important that this body, acting at your behest, be encouraged and directed to deal, not only with blockbusting, but, with the larger issue of discrimination in housing.

Other reason for exclusion?

In connection with this suggestion we are enclosing an SRC report on discrimination in housing just published by ~~the SRC on July 15, 1971.~~ m us this week This report should further illumine the points ~~I~~ we have attempted to make in this letter.

~~I~~ we trust the perspective ~~I~~ we ~~have~~ sketched here will receive your sincere consideration. ~~I~~ we might add that it is only out of a desire to offer an objective and constructive assesment of ~~xxxxx~~ the mission of your Blockbusting Committee that ~~I~~ we tender ~~my~~ our views on this matter.

Again thanks for any consideration you might give these suggestions and ~~request.~~

Sincerely,

Arthur C. Campbell, Co-Director
HOUSING & PLANNING

File H&P

40.

July 22, 1971
From: A. Campbell

H&P

Paul —

We believe that housing discrimination is systemic, ~~[illegible]~~, a way of shaping infant residential developments into segregated housing patterns. Our strategy in proposing this conference is to mobilize key individuals in the public and private sector ~~[illegible]~~ with the hope of forging new coalitions across economic and class lines ~~that will~~ ~~be~~ to ~~further dam~~ implement the ideals of the open society concept.

It seems a pragmatic and ideal step for SRC to take, especially, in the publication of our housing report and light of its recent self-evaluation.

We would like your reaction to the proposal itself, and potential for securing financial backing, ~~[illegible] family foundation~~.

PROPOSED: A Regional Conference on Discrimination in Housing / Organization of SRC Task Force?

PURPOSE: "To publicize efforts to end housing discrimination.

2. To educate citizen groups and government officials on various aspects of housing discrimination.

3. To establish contacts, develop new information, begin to weave together a regional program and strategy for the eradication and prevention of discrimination in housing.

Rationale

AREAS of Concentration:

1. State and Local Action
   A. Establishment of State Human Affairs Depts. (e.g. Kentucky)
   B. Legislation
   C. State Planning
   D. Politics of Housing
      eg. - In Jackson Miss. Mayor Davis efforts to get voter approval of low-income housing thru referendum.

      - Gov. Dunn's (Tenn.) veto

of legislation establishing a similar referendum on low-income housing projects.

- State Housing Development Corporations

2. Restrictive Land Use / Exclusionary Zoning.
   A. Location of housing near jobs
   B. Political implications vis-a-vis efficient delivery of services.
   C. Programmatic Possibilities

3. Blockbusting and Neighborhood Stabilization
   A. Anti-Blockbusting Measures
   B. Stabilization: Organization, effectiveness, potential.
   C. Real Estate Practices

4. Redress Procedures
   A. Complaints thru HUD
   B. Suits
   C. Other

5. The Federal Role
   A. As a Domestic Problem
   B. Priorities: money, manpower.

Rationale:

That discimination in housing is a problem has been documented over and over. That a major governmental and citizen commitment to solve the problem has not been made is axiomatic.

This proposed conference is ~~aimed at~~ conceived as a ~~first~~ vital step toward establishing a more favorable attitude toward the concept of an open pluralistic society. It would bring together the issue before a diverse group of southerners, to explore ~~ways~~ possible solutions, ~~develop~~ start a program for region wide government and citizen action, make information available to government officials and ~~existing~~ citizen groups, perhaps most important--mobilize people to consider the ideals of

an open society and implement them in their local communities.

It is generally agreed that a tremendous amount of urbanization will occur in the South in the Seventies. ~~If this decade~~ A "South" in transition would provide numerous opportunities for ending discrimination in housing and, even more exciting, developing cities and towns free of the problems (deteriorated tax-bases, ghettorized housing, de-facto school desegregation) that plague Northern metropolises. However, unless a wide range of people are mobilized these unique opportunities, ~~[illegible]~~ probably ~~[illegible]~~ will not be ~~[illegible]~~ fully capitalized.

Programmatic Implications:

1. Recommend establishing a SRC Task Force on discrimination in housing. The proposed Conference might serve as their first project.

To follow ~~our~~ Conference:

2. Publish handbooks on various aspects of discrimination in housing

Examples:

a. Modification of the normal planning process ~~to~~ so that it might consider problems in transition areas. It would be aimed at planners and government officials

b. Neighborhood stabilization and housing assistance handbook aimed at community groups. Would provide information on complaint procedures, how to develop cases for filing suits, available legal resources, how to organize housing assistance programs and how to combat exclusionary zoning.

3. Help establish Housing Opportunities Centers

4. Serve as on-going Information Center

Budget

1. Field Investigation

2. ~~Recruitment~~ Selection of Participants

3. Background Research and writing

4. Actual Cost of Conference
   - facility
   - program publication, brochures
   - telephone, postage
   - Expenses and/or honorariums for resource people.
   - Incidental expenses

5. Organization of SRC Task Force

H&P

Southern Regional Council, Inc.
5 FORSYTH STREET, N. W. ATLANTA, GEORGIA 30303
522-8764
PAUL ANTHONY
EXECUTIVE DIRECTOR

September 3, 1971

M E M O R A N D U M

TO: Moreland Smith and Art Campbell

FROM: Horace Barker HB

RE: Loose leaf collected materials on open housing.

I would think that at this time SRC would not want to put together any publication dealing primarily with "neighborhood stabilization." A more likely possibility would be an "action guidebook" which explains how citizens may get at the interrelated aspects of housing discrimination. Following are examples of issues that might be covered:

1. An analysis of the role of local planning agencies and other local government officials in maintaining a restricted housing market. Discuss how citizens can understand and influence the decisions affecting their neighborhoods.

2. An analysis of local real estate establishments, linkages between real estate agencies, banks, developers. Discuss

how to get cooperation on open housing, how to force compliance with the law.

3. Discuss "neighborhood stabilization". Show how it can contribute to open housing; discuss the psychological and educational benefits derived from group cooperation, the tendency toward segregationist attitudes and practices; and explain why "stabilization" alone can't solve the problem.

The collected materials provide a good start towards the gathering of information for use in an action guidebook. I especially like some of the suggestions in the government commission study (pp. 59-62).

Before SRC plans any more publications in housing, however, a careful evaluation is needed of how available resources can be used. The meeting on September 16 (or a week later) should prove useful in this regard.

It may well be that more field activities, a regional conference, or something else will emerge as the proper course to take in lieu of immediately publishing another document. (I believe John Ingle's proposal, date 8/12/71, explains well the need and opportunity to act in some capacity.)

The real value and usefulness of the information collected in the binder depends of course on what goals and strategies H&P choose to pursue.

HNB:lb

In terms of organizational characteristics of the industry, the study found that general contractors accounted for over 30 percent of the man-hours in on-site construction, while carpentry contractors accounted for 17 percent. In terms of the occupational distribution, however, carpenters accounted for 35 percent of the on-site man-hours. Based on a comparison with the earlier study, carpentry man-hours have increased considerably while hours worked by general contractors have declined, indicating that general contractors are concentrating more of their effort on coordinating, financing, and purchasing while subcontracting more on-site work to carpentry contractors.

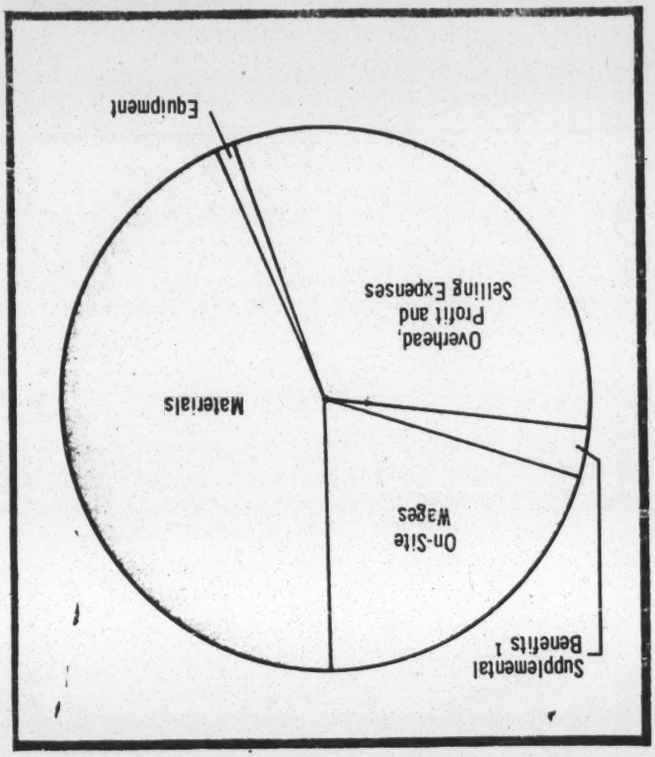
Distribution of costs

Materials, including equipment, represented $442.90 per $1,000 or 44 percent of the construction price. (See chart 1.) The most important materials category was lumber and wood products, accounting for about 18 percent of the total or $179.60 per $1,000. The second most important material grouping was stone, clay, and glass products representing $95.30 per $1,000 of construction price.

On-site wages and salaries (including overtime) accounted for over 20 percent of construction price. Employer contributions for social security, unemployment insurance, and other benefits make up an additional 3 percent. The remaining 33 percent included profit, selling expenses, and overhead (such as architectural fees, office and warehouse expenses, and contractor financing).

The complete report, in addition to extending data contained in this article, will include man-hours and costs by selected characteristics of houses, a listing of types of materials used, costs by type of contractor, and wages by occupation. Other information: extent of unionization, degree of specialization in homebuilding, prevalence of apprenticeship training programs and recommendations for improving construction efficiency. In addition, the published study will include a description of methodology, scope, and limitations of the survey. □

Chart 1. Distribution of construction costs for single-family houses, 1969



[1] Supplemental benefits (fringes), FICA (Social Security), and Unemployment insurance.

———*FOOTNOTES*———

[1] These estimates, while representing only jobs created by houses built for sale and custom-built under contract, actually accounted for virtually all jobs in single-family housing construction, because the other major grouping, owner-built houses, provides relatively few on-site jobs. The estimates were derived using 1,800 hours a year for on-site construction workers and 2,080 hours for other workers.

[2] In residential construction, the following detailed bulletins have been published, and summaries of the studies appeared in the *Monthly Labor Review* (issues in parenthesis after bulletin citations): *Labor and Material Requirements for Private One-Family House Construction* (BLS Bulletin 1404, 1964) (*MLR*, July 1964, pp. 797–800); *Labor and Material Requirements for College Housing Construction* (BLS Bulletin 1441, 1965), (*MLR*, September 1965, pp. 1100-1104); *Labor and Material Requirements for Public Housing Construction* (BLS Bulletin 1402, 1964). Other studies in this series include civil works projects of the Corps of Engineers, federally aided highways, Federal office buildings, hospitals and nursing homes, elementary and secondary schools, and sewer works. In progress are studies of multi-family houing and a recycling of public housing and Federal highways.

[3] See John C. Musgrave, "The Measurement of Price Changes in Construction," *Journal of the American Statistical Association*, September 1969, pp. 771-786.

Labor requirements for construction of single-family houses

Building single-family houses involves more than 500,000 full-time jobs for workers in the construction industry

ROBERT BALL AND LARRY LUDWIG

ILDING AN AVERAGE single-family house requires ut 1,337 on-site man-hours of labor—slightly re than two-thirds of a construction man-year—cording to a recent Bureau of Labor Statistics dy. In this survey, the "average" house cost close $26,000 and had roughly 1,600 square feet of or space.

In terms of the value of the house, each $1,000 erates about 137 man-hours of labor in all sectors the economy. Of these man-hours, 62 are exnded in construction—52 on-site and the balance -site, in contractors' offices and warehouses.

In addition to the direct employment generated in e construction industry, 75 man-hours of employent per $1,000 of construction are created in inistries which mine, manufacture, distribute, and sell e materials used in single-family house construcion. Thus, for every hour of on-site construction ork, an additional .2 hour is spent in contractors' ffices and warehouses and 1.4 hours in other indusries. (See table 1.)

Estimates of man-hours required and full-time employment generated are based on a survey conducted by the Bureau of Labor Statistics under contract with the Department of Housing and Urban Development. This article presents a summary of findings, with a full report scheduled for release later this year.

Table 1. Man-hour requirements, by industry, 1962 and 1969

Industry	1962			1969		
	Per 100 square feet of livable space	Per 1000 current dollars of construction [2]	Percent [1]	Per 100 square feet of livable space	Per 1000 current dollars of construction	Percent [1]
All industries	238	202	100.0	218	137	100.0
Construction	99	84	41.6	98	62	45.3
On-site	85	72	35.6	82	52	38.0
Off-site	14	12	5.9	16	10	7.3
Other industries	139	118	58.4	120	75	54.7
Manufacturing	72	61	30.2	65	41	29.9
Wholesale trade, transportation, and services	36	31	15.3	32	20	14.6
Mining and all other	31	26	12.9	22	14	10.2

[1] Calculated on basis of man-hours per $1,000. Except for rounding, percent distribution would be the same on square footage basis.

[2] Revised data.

According to the survey, construction of this type provided an estimated 450,000 construction workers with full-time jobs and required an additional 74,000 jobs for off-site construction personnel such as administrators, appraisers, engineers, architects, secretaries, and clerks in 1969. In addition, about 561,000 jobs were generated in industries which provide materials used in construction of houses.[1]

The survey

The study was designed to measure the number of man-hours required for each $1,000 of single-family house construction price. It was based on a sample of 250 houses built in the continental United States stratified by geographic location, estimated cost of the houses, and degree of urbanization where they were built. Only private, new, conventionally built, single-family houses were considered within the scope of the survey.

Most of the houses in this study were located within metropolitan areas and had one story, a wood frame, basement, two or more bathrooms, forced air heating and a garage. Moreover, more than one-third of the houses surveyed had central air-conditioning. On the average, the construction of a single-family house took about 21 weeks to complete. Actual construction took place during 1968 and 1969; however, most of the homes were completed and sold during 1969.

On-site man-hour requirements, material requirements, and construction costs were obtained by BLS field representatives directly from over 4,000 general and specialty trade contractors. In addition to labor and material costs, profits, overhead, and selling expenses were included in the construction price. Ex-

Robert Ball and Larry Ludwig are economists in the Division of Productivity Research, Bureau of Labor Statistics.

cluded were the value of the land or lot and all capital improvements in the community, such as streets, sewers, recreational facilities, and so on.

Man-hour requirements other than for construction were developed from the interindustry growth model and reflect the labor expended to mine, process, transport and distribute the materials used in construction. Estimates were derived by first classifying and aggregating material values by type and deflating by an appropriate price index. These deflated values were matched with the appropriate industry sectors in the interindustry growth model to generate estimates of final demand. Sector productivity factors were then applied to derive employment and man-hours by industry group.

Change in on-site labor requirements

Comparison of data with an earlier study's results (from 1962) [2] reveals a decline in on-site man-hour requirements. This change reflects a host of economic factors including the introduction of new processes and materials, geographic shifts in demand, shifts in types of housing produced, and, of course, productivity growth. It is extremely difficult to isolate the effects of productivity change on labor requirements from these other factors.

In addition, the size of the sample in 1962 was considerably smaller than in the current survey, with only about a third as many respondents, and was limited to FHA- and VA-approved houses, in contrast to the current study which covers all new, conventionally built, private, single-family houses built for sale or custom-built under contract and costing $75,000 or less.

With these limitations in mind, two measures of change in on-site man-hour requirements were developed, one based on square footage, the other on constant dollars, using a Bureau of the Census single-family housing price index[3] to deflate the current dollar value.

On a square footage basis, man-hours per unit of output declined by slightly more than one-half of one percent a year. On a constant (1962) dollar basis—the effects of price increases having been removed—the decline was much sharper, almost 2 percent a year, as shown below.

	1962	*1969*	*Average annual percent change*
Man-hours per 100 square feet	85	82	—0.6
Man-hours per 1000 constant dollars	72	64	—1.9

The difference between these two measures reflects the lack of standardization of a square foot of single-family housing. That is, since homes built in 1969 have more bathrooms, air conditioning, and other features of improved quality, real value increased substantially faster than a measure of output based on square footage alone. These improvements also required a greater number of man-hours to install, but the increase in labor time was not proportionate to the increase in real value.

Distribution of on-site man-hours

In the construction of the houses studied, 69 percent of the on-site man-hours were worked by skilled tradesmen, 28 percent by semiskilled and unskilled workers, and 3 percent by nonproduction employees (supervisors, engineers, clerks). (See table 2.) Four major building crafts—carpenters, painters, bricklayers, and plumbers—accounted for three-fourths of the skilled employees. Carpenters were the most frequently used occupation at the site. With wood still used so extensively to frame, cover (in whole or in part), floor, and trim single-family houses, it is not difficult to understand why carpenters hold such a commanding position.

Over one-fifth of the man-hours were expended by laborers, helpers, and tenders, a somewhat larger proportion than was found in the earlier study. To a very large extent this reflected the greater use of prefabricated materials, which often require less skill to install. Except for this shift, there was relatively little change in occupational requirements.

Table 2. Percent distribution of on-site man hours by occupation and type of contractor, 1969

Occupation	Percent distribution	Contractor	Percent distribution
Total	100.0	Total	100.0
Supervisory, professional, technical and clerical	2.8	General	31.3
Carpenters	34.9	Carpentry	16.9
Painters	7.3	Plumbing, heating, ventilating and air conditioning	8.7
Bricklayers	5.7	Painting and paper hanging	6.5
Plumbers	4.3	Masonry and stonework	9.0
Cement finishers	2.5	Concrete and stucco work	7.2
Electricians	3.0	Electrical (except heating)	3.7
Plasterers and lathers	1.7	Plastering and lathing	1.4
Sheet-metal workers	1.3	Roofing and siding	2.0
Roofers	0.9	Ceramic tile, terrazzo, and marble work	2.2
Operating engineers	1.8	Excavation and grading	1.6
Tile setters	1.4	Wood flooring	0.9
Soft floor layers	0.6	Other flooring	1.6
All other skilled trades	3.3	Wallboard	4.0
Laborers	14.1	All other types	2.9
Helpers and tenders	13.8		
Truckdrivers and miscellaneous workers	0.5		

NOTE: Detail may not add to totals due to rounding.

H&P

NCDH

NATIONAL COMMITTEE AGAINST DISCRIMINATION IN HOUSING, INC.

1865 Broadway
New York, N. Y. 10023
(212) 265-2780

October 20, 1971

To: MS as Bd Member.
He responded that impossible for him to help out at this point.

Dear Board Member:

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President

D. John Heyman
Chairman, Board of Directors

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Honorary Chairman

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Washington, D.C. 20006
(202) 659-5715

Western Office:
680 Beach Street
San Francisco
Calif. 94109
(415) 771-8490

This is the most urgent letter we have ever sent to you. It is an emergency appeal asking every Board member to make an immediate personal contribution to NCDH, in as substantial an amount as possible. A similar letter is going to each national cooperating organization, urging agency contributions.

As you know, NCDH from its inception has faced continuous financial problems, but somehow, with the determined efforts of a small group of people, it has managed not only to survive, but to expand its influence and effectiveness. We need not set down here NCDH's record of accomplishment in this most complex of all civil rights areas -- you know it well.

Right now NCDH is faced with the most severe financial crisis in its history. Despite sharp reduction of staff and retrenchment down the line, we have entered the fourth quarter of 1971 with a large deficit. The remaining professional staff has met the situation with unreserved loyalty and confidence. They have not been paid in three months, but have willingly added new duties to their already overloaded schedules. The debt for past-due salaries alone now stands at more than $25,000; unpaid expense accounts are outstanding; and the employees' pension plan has had to be cancelled.

How did this come about? The answer lies in a combination of unfortunate circumstances: the tax reform law which scared off many smaller foundations; the economic recession and adverse climate, resulting in a sharp drop in cash flow; inflated costs; carry-over expenses from expansion of space and facilities required for special projects such as the landmark jobs/housing study funded by the Carnegie Corporation; and an overbalance of restricted funds and insufficient monies for general operations.

Yet, despite the current crisis, the long-range outlook is encouraging. The Ford Foundation has just approved an interim grant for three months until consideration can be given our proposal for a two-year renewal grant (but with the proviso that the interim funding is to be used entirely for ongoing program expenses and none of it applied to the deficit). Renewal grants from other foundations are expected during the

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Congress of Racial Equality

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League of Women Voters of the United States

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National Association of Housing Cooperatives
National Association of Negro Business and Professional Women's Clubs
National Catholic Conference for Interracial Justice
National Community Relations Advisory Council
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National Council of Negro Women
National Education Association
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Union of American Hebrew Congregations
Unitarian Universalist Association
United Auto Workers of America
United Church Board for Homeland Ministries
United Housing Foundation
United Steelworkers of America, AFL-CIO

Young Women's Christian Association

coming months, and negotiations are underway with others. The corporate program is moving ahead and additional consultative contracts and corporate grants are being sought. Meanwhile, every potential resource is being explored for money to wipe out the deficit on as rapid a schedule as possible, with special drives now being planned in Chicago, San Francisco and New York. All of these efforts, of course, take time.

The immediate emergency is lack of cash to make "good faith" payments on the most pressing bills now. Thus, each of us must not only contribute personally to the limit of our ability, but we must each make a concentrated effort to get generous contributions from friends, acquaintances, and any other source we can tap.

Ed Rutledge is back at the helm after the serious illness brought on by overwork and intolerable strain. If each Board member matches the determination and commitment of Ed and his loyal staff, NCDH will weather this storm and continue its vital role of leadership and service to the nation's open housing forces.

We are counting on your generous help now.

Sincerely,

Bob Carter
Robert L. Carter
President

John Heyman
D. John Heyman
Chairman of the Board

RLC/DJH:F:eh

Enc.

H&P

30 Nov 71

To: Emory Via
From: A. Campbell
Re: Rural Housing

I am exploring the feasibility of working with several organizations/agencies in the area of rural housing and development. This is related to the rural housing element of our 72 program proposal.

The Rural Development Center at Tifton, Georgia is the prime promoter of an ad hoc ~~effort in the~~ group that met on November 18. The RDC's apparent agenda at that meeting was to have the assembled group express itself on the wisdom of having a "listening conference" on rural housing under the aegis of RDC.

This group recognized the need for organizational coordination/mobilization of resources to deal with rural housing problems but was generally lukewarm to the idea of a conference without adequate attention to its overall effectiveness (i.e. the above mentioned needs).

I am scheduled to serve on the

strategy committee to develop a role for this group. Tentatively the intentions are to pull together information, establish contacts with potential consumers of low-income housing throughout the state and sponsor a conference in the spring of 72.

This committee is scheduled for a meeting next Tuesday (Dec 7) in Tifton, Ga. While the expenses here will be nominal, it seems an appropriate time to raise the general question about SRC policy relative to travel (relative to HPP) as well as to request your ~~specific~~ reaction to this specific trip.

H&P

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NATIONAL RURAL HOUSING COALITION

1346 Connecticut Avenue, NW
Washington, DC 20036
Telephone: (202) 296-4945

Clay L. Cochran, *Chairman*
Robert Johnson, *Vice-Chairman*
Gerald Robinson, *Secretary-Treasurer*

MEMORANDUM

TO: All Officers, Board of Directors, Sponsors, and Members

FROM: Clay L. Cochran

SUBJECT: Brief Report on 1971

DATE: December 13, 1971

Somehow it has been a very fast year, and it has slipped away with only one formal meeting, the Annual Meeting in March here in Washington. I will be contacting Board members for a get together in January to discuss problems and plan the new year.

Working with a largely volunteer staff, and economizing where we can on funds, it is not possible to do a decent job of keeping members informed on developments other than the general reports in RURAL HOUSING.

You have all received our up-dated 1971 edition of PEOPLE HAVE A RIGHT TO DECENT HOUSING, which was actually our statement for policy for the year, up-dated from June, 1969.

In addition, we appeared or submitted statements in accordance with those policies at 11 different Congressional hearings.

It is not possible to measure the results of the efforts of any person or organization very precisely, but I think the Coalition is serving a very vital function in providing a voice for a lot of small town and rural people. We really are recognized as a reliable, legitimate source of information on matters related to rural housing, community facilities and related things.

The legislation I recommended on our behalf at the Hearings of the Senate Select Committee on Nutrition and Human Need in late 1970, has been introduced, in the Senate by McGovern and others (S2897); in the House by Representative Abourezk and others (H.R. 12072). These bills would create a new agency, the Emergency Rural Housing Administration with instructions and resources to clean up the worst of the rural housing problem in five years, starting with the lowest income people.

On the other hand, the Nixon veto of the OEO bill has apparently killed the housing section which Representative Carl Perkins has inserted in the bill, the first direct housing instructions to OEO in its history. The President is also slashing Farmers Home personnel by 5 percent and cutting out all temporary personnel, including construction supervisors hired to speed up the housing program.

If you feel that we should employ more of our time in keeping you informed on organizational activities, I will try to do so but I have felt that we should spend every moment we can on the task of getting legislation and funds for programs clearly to the neglect of internal organizational information. If you differ with me, please say so.

At the Board meeting in January, we will discuss our financing, but since all of the promises of easy and large sums of money seem to have vanished like the mist, I am personally resolved to maintain and expand our membership which will provide us with enough money to keep RURAL HOUSING going, and retain the organization as a voice that has been useful and, I think, most fruitful.

There has been a very encouraging increase in contributions of $50 or more from rural electric cooperatives and CAP organizations as well as from individuals; our single big contributor is the United Presbyterian Church of the USA which contributed $3,000 again in 1971. (A financial report will be sent out after audit early next year.)

Within the year it may be possible to secure enough money for one staff member which is very desirable, but I am convinced that our voluntary efforts are very important, and if we have to we can make do on the contributions now available, if they continue.

I felt pretty rotten physically for several months this year, and the voluntary staff lagged a little on membership expiration dates and the inclusion of new members on mailing lists. This is being entirely cleared up this month, and if you have suffered from the delay, please bear with us. We now have a one-day, per week membership clerk who will see that this does not happen again.

Please let me have your suggestions on procedures, plans, programs, and finances. I regret I have not had more time to communicate with you and get the Board together more often, but so it goes.

Sincerely,

Clay L. Cochran
Chairman of the Board

National Research Council Urges Matching Of Socio-Economic Levels in Desegregation

1/4/72 HFP

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON—A top-flight research panel issued a report that tends to argue against the incipient federal government effort to house subsidized inner-city families in suburban neighborhoods.

Though much evidence shows that people of different races but of similar socio-economic levels can live peacefully in the same neighborhoods, the report declares, little is known about whether people of different economic levels, regardless of race, can live together harmoniously.

Thus, the National Research Council recommends that federal housing desegregation policy be directed primarily toward "matching" socio-economic levels. Indeed, the council suggests that "simultaneous efforts to reduce racial segregation class stratification may in fact be counterproductive."

Dr. Amos Hawley, a University of North Carolina professor who chaired the panel, said that putting subsidized black families in more affluent white neighborhoods probably would harden prejudices that really were based on class, not on race. "It's a very strong probability," he declared, that such socio-economic mixing would be harmful.

List of people I met with in Columbia last week.

H LP Admin

South Carolina - Columbia: 12-13 Jan 72

① Hubert Lime: STAP - OEO
- efforts to start So. Carolina Housing Alliance
- stressed proposed involvement in non-profit ventures, private subsidy / housing cost.

② Charles Saunders - State Planning & Grants Division
Special Projects Supervisor
- suggested Greer, S.C. as a place where SRC might become involved in.

Contacts:

(a) South Carolina Appalachian Regional Council of Govt. → Don Hinson

(b) Black Concerned Citizens of Greer Area
Alvin Phillips, Pres.

(c) John McCarroll, Dir
Phillys Wheatly Recreation Center
in Greenville, S.C.

(d) Don Dobbins
Dir. of Greer Chamber of Commerce

Counties in S.C. w/o housing authorities

(2) David Traxler, Greenville 268-2431
(291 Bypass behind Bob Jones university.

(3) Steve Mayfield - So. Carolina Housing Authority
Ralph STEVENS
LSNA Bryant

(4) Otis CORBETT - University of So. Carolina
suggested investigating the following counties: Orangeburg, Calhoun, Barnwell, Hampton, Chester, Chesterfield, York, Union.

(5) James Clyburn - assistant to governor on Human Resources.

(6) Paul Mathias

H&P - Admin

19 January 72

To: Emory Via
From: A. Campbell
Re: Housing & Planning Program

There are several matters pertaining to the operation of the Housing project that I need to get your reactions/answers to. It is important that I get your input this week in order that the Housing project can make realistic commitments, or non-commitments, for the current year.

(1) How much money for how long a time is SRC presently prepared to put into HPP activities?

(2) Are you (i.e. SRC) willing at this time to employ a secretary/research assistant for the Housing project?

(3) Relative to question #1 would you sit down with me to establish an estimate of that total that can be made available for consultants and/or temporary assistants?

(4) What is your position on my exploration of funding possibilities for the Housing project? You indicated last December that some initiatives would be undertaken to to procure funds to support the Housing program for the current year. As far as I know nothing has been done along this line. That no time has been devoted to this, I am sure, can be attributed to your heavy work load. However, as project head it is encumbent upon me to assume this responsibility. I should mention that, while not a very promising prospect, the Project has been verbally invited to make a presentation to the Housing Assistance Council for funds to provide technical assistance to rural housing efforts.

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H&P

Southern Regional Council, Inc.
52 FAIRLIE STREET, N. W. ATLANTA, GEORGIA 30303

A Council to attain the ideals and practices of equal opportunity for all peoples in the South

March 1, 1972

MEMORANDUM

TO: E. Via

FROM: A. Campbell AC.

Re: (F.Y.I.) Atlanta Metropolitan Open Housing Coalition

I am a member of the executive committee of the newly-created Atlanta Metropolitan Open Housing Coalition. In this capacity I have made available the resources of the Housing and Planning Project for helping to develop Coalition programs.

Specifically, HPP will be working on the development of a Metropolitan Housing Opportunities Center and strategies for developing a metropolitan housing dispersal plan.

You may remember that the Housing Opportunity Center is an idea we spent a good deal of time on over the past 1½ years. A skelton proposal and some of the other information materials pulled together during that period are to be used in developing a new proposal for a metropolitan housing center under the aegis of the New Metro Coalition.

Basically, HPP's assistance is to consist of my time and travel expenses.

I am in the process of developing an itinerary for a delegation from Atlanta, including myself, to visit on March 13, 14, 15, Louisville, Ky.; Dayton, Ohio; and Washington, D. C. respectively. In Louisville the local metro open housing organization will brief the group on its operation. The Miami Valley

Regional Planning Commission in Dayton is to relate to the group its experiences in developing a regional housing dispersal plan. And in Washington, meetings are being arranged with James Harvey or the Housing Opportunities Center and members of Samuel Simmon's staff in HUD's Department of Equal Opportunity in Housing.

Tentatively, I am scheduled to brief the group on the itinerary and the trip objectives on March 8.

Nixon Presents a Rural Development Plan Adding $1 Billion of Fiscal '74 Loan Backing

2/2/72

By a WALL STREET JOURNAL Staff Reporter

WASHINGTON—President Nixon sent Congress a plan for developing job opportunities in rural America that includes $1 billion in additional federally backed credit for industries and communities.

The plan has a catch, though: The money wouldn't become available until mid-1973.

The proposed $1 billion expansion of available credit is in line with earlier indications from Agriculture Department officials. A wrinkle that wasn't previously mentioned, however, is that Washington would delegate to the states responsibility for administering the bulk of these and other funds included in the same rural development program.

As envisioned by Mr. Nixon, an initial $1.3 billion for rural development credit would be authorized in the fiscal year beginning July 1, 1973. This total includes $300 million in Farmers Home Administration lending authority that ordinarily would be sought to finance local rural water and sewage projects authorized by existing law.

The plan calls for 75% of the lending to be in the form of loans placed directly by local banks and other financial institutions with a 90% federal guarantee of repayment. The Small Business Administration already is making extensive use of such 90% guarantees in its loan programs, but this credit mostly serves more urban areas.

Interest Rate Ceiling Would End

The remaining 25% of the credit would be offered through the Farmers Home Administration's regular insured loan procedure. In this case, the agency makes and services the loans directly, but finances its operations by selling notes to the public with 100% federal backing.

One current advantage for rural communities that would be erased by the Nixon plan is the present 5% interest rate ceiling on Farmers Home Administration water and sewer loans. The Agriculture Department agency must pay significantly higher rates on its notes, and the difference amounts to a federal subsidy. In contrast, rates on the entire $1.3 billion proposed for fiscal 1974 would be set using a Treasury formula that takes into account "the market interest rates on comparable loans."

An Agriculture Department official predicted that the disadvantage of higher interest rates would be offset by rural communities' ability to have credit when they want it.

Of the $1.3 billion Mr. Nixon wants for the first year, 65%, or $845 million, would be for "commercial and industrial" purposes for businesses unable to obtain credit elsewhere. The remaining 35%, or $455 million, is to finance communities' water and sewer systems, industrial parks, community centers and "related items which would enhance the opportunities for employment," the White House said.

Eighty percent of the loan program would be administered by states, with each receiving a prorated share of credit authority. The rest would be under the Agriculture Department.

Why the Delay

At a White House briefing, Agriculture Secretary Earl L. Butz indicated that the delay in starting the program was dictated by the administration's desire to fight inflation. Later, however, Joseph Coffey, acting deputy under secretary for rural development, said it was prompted by a wish to extend the expanded credit simultaneously with $1.1 billion in federal grants to the states that would become available through rural revenue sharing.

Mr. Nixon's revenue sharing idea, first broached last year, was restated in the latest message. It would scrap most or all of 11 federal programs and agencies, including the Commerce Department's Economic Development Administration, the Agriculture Department's Cooperative Extension Service and the Appalachian Regional Commission. To obtain these programs' funds, states would draw up a rural development spending plan that also would cover lending policies for the $1.3 billion credit program.

So far, the House and Senate have been decidedly chilly to the idea of abolishing any established programs to finance revenue sharing. Conceivably, though, Congress could authorize new money for state rural development grants.

Art C.

March 27, 1972

To: E.Via

From: A. Campbell A. Campbell

Re: Greer, S.C. Housing Project

I am suspending for the moment our consultation arrangement with James Wright Associates, Inc. until the Greer group -- the Black Concerned Citizens -- and I have work out a specific program.

In the interim we should receive one other small bill for work Wright Assoc. are now engaged in.

I would like a report sometime as to how productive you think this arrangement was -- both as to Wright's competence and this particular kind of undertaking as related to our operation.

EV

3-28-72

HUD Bars Contractor From Federal Work Over Minority Hiring

Philadelphia-Area Firm, Randeb, Penalized; Agency Says Case Is a Warning to Other Builders

3/28/72

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON—The Department of Housing and Urban Development served notice that it intends to press contractors to hire minority-group workers on federally subsidized housing jobs.

HUD barred a Philadelphia-area company from future federal contracts, at least for the time being, because, the department said, it failed to honor a commitment to use minority-group steamfitters on a public housing construction project. The company is Randeb Inc., a heating and ventilating contractor based in the Philadelphia suburb of Newtown Square.

A spokesman for Randeb Inc. said company officers weren't available to comment upon the HUD action.

Samuel Simmons, a HUD assistant secretary, said the action shows "we mean business" and should be interpreted as a warning to companies doing business with the federal government that if they don't take "affirmative action" to employ minority-group workers, they will be punished.

The Randeb case grew out of the "Philadelphia Plan," under which contractors on major federally funded construction projects in the area agree, at the time they are awarded the federal work, to make good-faith efforts to employ minority-group members in several specified trades. Mr. Simmons said 13 other Philadelphia Plan contractors, as well as some companies in other cities, are under scrutiny and could be the targets of sanctions by the end of the year if they don't come into compliance.

Two years ago Randeb received an $86,000 contract for work on the Point Breeze public housing project. At the time, the company agreed to a goal of 12½% minority-group employment in steamfitting positions on the job, HUD said.

Mr. Simmons said Randeb failed to fulfill this pledge and didn't appear at a hearing called to check the alleged contract violations. Therefore, he said, the company, until it mends its ways, is barred from future federal business because it "failed to achieve its minority hiring goal and failed to demonstrate that it had engaged in good-faith effort to achieve that goal."

This was the second time the federal government had taken such action. The earlier case was initiated by the Department of Health, Education and Welfare against Edgerley Air Products, also of Philadelphia.

Clarostat Cuts '70 Sales Figure

DOVER, N.H.—Clarostat Mfg. Co. said it revised its 1970 sales downward to $9.8 million from $10.7 million "to eliminate certain intercompany transactions." The restatement of sales hasn't any effect on the year's earnings, the electrical equipment maker said.

SIHDC

Southern Indiana Housing Development Corporation
BOX 1152 COLUMBUS, INDIANA 47201 (812) 372-4477

March 31, 1972

Mr. Les Dunbar, Executive Director
The Field Foundation, Inc.
100 East 85 Street
New York, New York 10028

Dear Mr. Dunbar:

Enclosed is a copy of the Prospectus for funding for fiscal year 1973 for SIHDC. As background, let me explain that SIHDC is a nonprofit corporation funded by OEO to provide housing training and technical assistance to eleven Community Action Agencies, other groups, and local governmental subdivisions toward greater and more effective utilization of existing resources for low income housing. While in operation for only six months, we are quite proud of our record to date as outlined in the Prospectus.

Unfortunately our current funding of $62,400 is grossly inadequate to do the job. For this reason, we are seeking funding from three sources, the Office of Economic Opportunity, the Dept. of Housing and Urban Development through 106A funds, and the Field Foundation.

OEO has committed $50,000 of new money and $20,000 carry over, and HUD is now considering our proposal.

As you will see in the Prospectus, we plan to expand our attack through the use of seminars for local elected officials, and by direct production of 236 rental projects under an experimental "interim" sponsorship.

We are seeking foundation funds for the one element of our program that we feel may be the key, and for which OEO and HUD funds may not be used. That is, the employment of a Governmental Relations Specialist. Simply stated, we wish to employ a retired congressman, governor, or other public official who has both the ability to move the federal bureaucracy, and knows the elected officials of southern Indiana on a first name basis.

A detailed plan for financial assistance from your organization is being prepared. We anticipate submitting a funding request to the Field Foundation persuant to recommendations for improvement which may result from your critical examination of the Prospectus.

Sincerely yours,

D. Bruce Wallace
Executive Director

DBW/rk

Thanks for the suggestions on foundations, I hope we are successful. Please offer comments on the Prospectus. We're open for suggestions or criticism.

Bruce Wallace

SIHDC

Southern Indiana Housing Development Corporation

BOX 1152 COLUMBUS, INDIANA 47201 (812) 372-4477

Southern Indiana Housing Development Corporation

A PROSPECTUS FOR DEVELOPMENT,

FISCAL YEAR 1973.

TABLE OF CONTENTS

	Page
Introducing SIHDC	1
How Big Is the Problem?	4
Dealing With the Problem	6
What Will It Cost?	11
Evaluating Our Performance	12
What Will Be the Return?	13

INTRODUCING SIHDC

The Southern Indiana Housing Development Corporation was formed on July 1, 1971. It was created as a joint venture of eleven Community Action Agencies. The principal corporate offices were established in Columbus, Indiana.

* Serving a population of 895,255 (1970)
* Living in 26 Indiana counties
* Encompassing 10,171 square miles

SIHDC was developed to meet the growing demand for more adequate housing in Southern Indiana, through -

* Providing information on available resources for housing improvement
* Planning for resource utilization
* Developing proposals for financial assistance
* Technical assistance for program operation

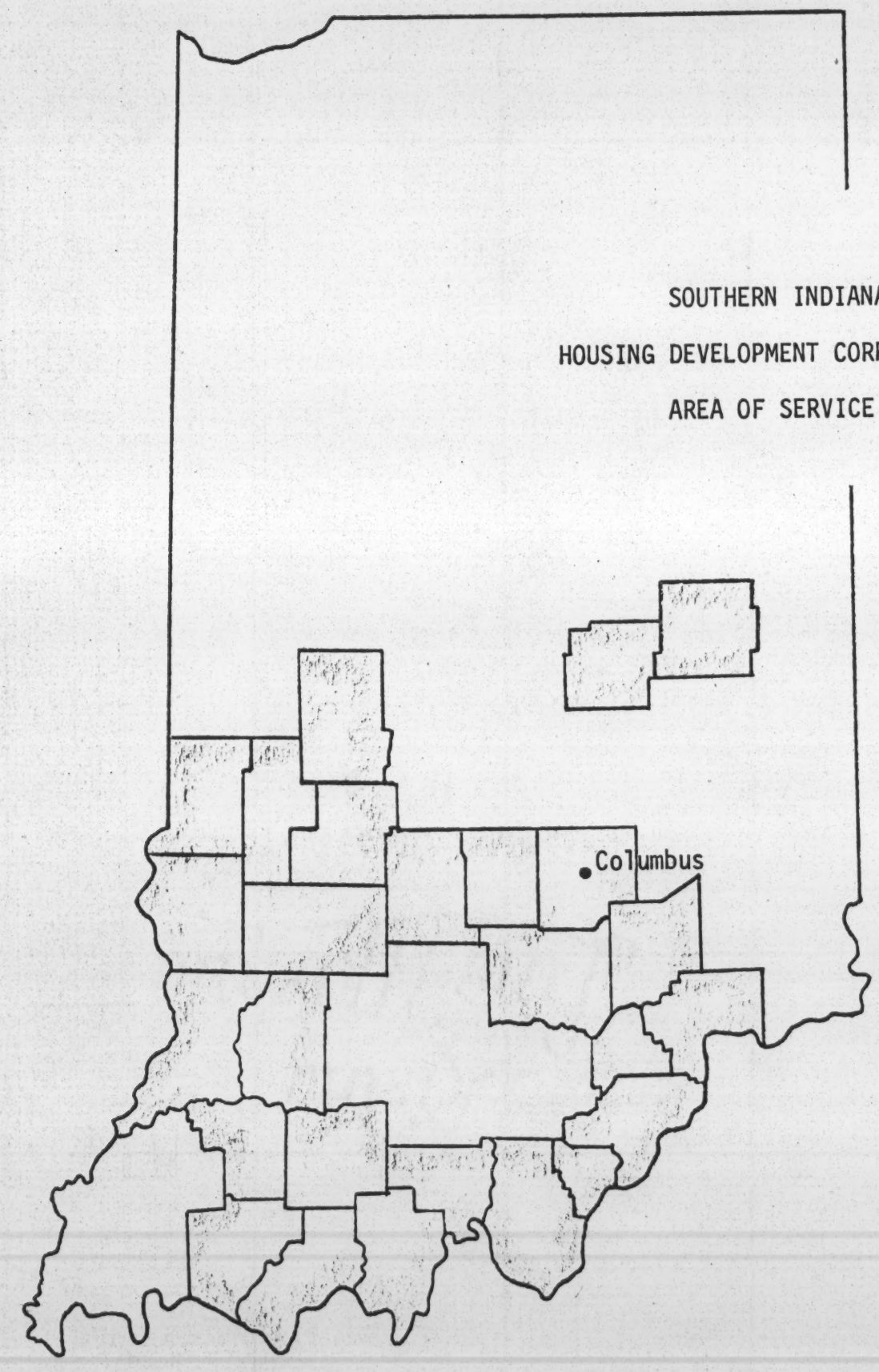
SIHDC became functionally operational September 27, 1971, with the employment of the Executive Director. The initial funding was provided by the Office of Economic Opportunity.

* First year funding level of $62,440
* Employing 3 regular staff members
* Supplemented by 10 VISTA Volunteers and their supervisor

SOUTHERN INDIANA

HOUSING DEVELOPMENT CORPORATION

AREA OF SERVICE



HOW BIG IS THE PROBLEM?

The real magnitude of the severity of housing needs in Southern Indiana is not clear. However, there are sufficient elements of base data to firmly establish the inadequacy of housing in the Southern Indiana area of service. For example -

* There are 36,051 housing units without all plumbing within SIHDC coverage area. This represents 12% of the total housing within the area.

* Inadequate housing in the SIHDC area comprises 32.4% of total inadequate housing in the state.

* While the area has approximately 1/3 of the state's deficient housing, it has only 17.2% of the state's population.

Working within a limited framework of information and staff, many programs are under development. For instance -

* Nine (9) HUD 237 counseling programs

* Two (2) Self-Help programs

* Five (5) FmHA Housing Placement programs

* Single programs in HUD 235, 235j and 236 rent supplement and FmHA 504 programs

A more significant impact requires a broadened scope of activities. A further, more detailed analysis of housing needs is required. The precise potential for utilization of housing rehabilitation programs, rent supplement programs, home ownership programs, local housing authorities, et al, needs to be ascertained. Only then can realistic priorities be established.

On the basis of those determinations, new approaches should be sought in the areas of rental housing and home ownership. More satisfactory avenues ought to be explored in the operation and management of rent supplement programs and local housing authorities.

DEALING WITH THE PROBLEM

SIHDC was formed to fill a void. It was clear that insufficient housing resources were available to facilitate the provision of decent housing for all of the citizens of Southern Indiana. Our mission is to fill that gap by assembling sufficient human and financial resources to have a significant impact on the housing deficiencies of the area.

Goals

* Participation of local units of government is an essential element in a comprehensive housing program. Our goal is to educe a widespread participation.

* A second essential element is the supportive involvement of church and other non-governmental groups. We shall elicit that involvement.

* Most of those who make their homes in inadequate housing are poor. Frequently they are also members of minority groups. The involvement of these groups is fundamental to successful housing programs. Our goal is to enhance the Community Action Agencies' unique capability to include the poor in the full spectrum of finding solutions to the housing problem.

* Knowledge of housing conditions necessitates an advocacy role for SIHDC. We will support further progress toward fair housing practices.

* The pace of housing construction must be increased. We intend to serve as a liaison between builders and developers, and potential housing sponsors. We intend to develop innovative roles for SIHDC to facilitate that acceleration.

Objectives

The Southern Indiana Housing Development Corporation (SIHDC) will -

* Sponsor a minimum of two (2) Regional seminars for local elected officials to provide information and a forum for the exchange of ideas and opinions in the area of housing.

* Generate the active participation of four (4) additional elements of local government in developing new housing proposals.

* Conduct a minimum of one (1) Regional seminar for church and other non-governmental groups to provide information about their potential role as housing program sponsors.

* Assist in the development of three-year housing plans by each of the eleven participating CAAs.

* Effectuate a minimum of six (6) additional housing activities in member CAAs.

* Conduct one (1) conference of builders and developers, and financial institutions to introduce them to the resources of SIHDC.

* Develop a plan to enable SIHDC to act as an "interim sponsor" of housing projects, e.g. HUD 236. As an "interim sponsor", SIHDC anticipates a considerable reduction in pre-construction lead time, as well as improvements in management and utilization.

Activities

Achievement of the SIHDC objectives will be accomplished through activities in three major functional units. Broadly stated, the major activities will include -

Planning

* Acquire comprehensive census data for the region, CAA areas and major urban centers.

* Disseminate housing data to local CAAs and other community groups.

* Establish goals and objectives, alternative approaches and the activity matrix in order to establish SIHDC's "interim sponsorship" capability.

* Provide assistance to CAAs and other groups in the technical aspects of planning.

Training and Technical Assistance

* Coordinate development of seminars and conferences on available housing resources, e.g. HUD, FmHA, etc.

* Provide training for CAA staffs in technical knowledge of housing program development.

* Assist sponsors in preparation and presentation of quality housing proposals to appropriate funding sources.

* Explore alternatives and prepare comprehensive participatory management systems as part of the "interim sponsorship" package.

* Help existing housing projects in development of improved management systems.

Inter-Governmental Relations

* Open channels of communications between SIHDC and all segments of local government.

* Assist local elected officials in understanding their role in the development of successful, comprehensive housing projects.

* Serve as a liaison between SIHDC and the various state-wide and national housing organizations.

Staff

The scope of projected SIHDC activities will necessitate assembling a staff of committed, highly qualified personnel in all positions. The minimum staff required to accomplish our objectives will be twelve (12) persons.

Executive Director

Inter-Governmental Relations Specialist

Housing Management Specialist

Planner

Planner (Field)

Planning and Graphics Assistant

Technical Assistance Specialist (HUD)

Technical Assistance Specialist (FmHA and others)

Training and Technical Assistance Research Assistant

Fiscal Officer

Secretary

Clerk-Typist

WHAT WILL IT COST?

Assembling sufficient fiscal resources to carry out the essential activities requires multiple funding sources. This prospectus solicits the financial support of the Department of Housing and Urban Development (Sec. 106a), the Office of Economic Opportunity (SPRIF) and local private foundations. The consolidated cost projections which follow illustrate the cost to each separate funding source and the importance of an interlocking financial approach.

Personnel	OEO	HUD	Foundation
Wages and salaries	$ 45,400	$ 58,020	$ 22,650
Fringe benefits	5,450	6,960	2,720
Consultant costs	700	7,000	300
Subtotal	51,550	71,980	25,670
Non-personnel			
Travel	8,600	12,200	3,900
Space and equipment	4,660	5,640	980
Communication costs	3,630	3,630	1,000
Resource material and training costs	740	4,650	
Seminar and conference costs		400	400
Other costs	820	1,500	425
Subtotal	18,450	28,020	6,705
Total	70,000	100,000	32,375

EVALUATING OUR PERFORMANCE

The objectives of SIHDC are quantifiable and therefore easily measurable. However, counting the number of things we have done is not totally revealing. The success of the plans, conferences and other activities hinges upon the quality of our work. Judgments as to the quality of our labor can best be made by people somewhat removed from daily operations.

The sources of financial assistance in conjunction with the SIHDC staff and Board of Directors can most objectively judge quality of production. The specific format for evaluation should be a joint venture of funding sources and the Board of Directors. Evaluation should be designed as an ongoing activity to measure progress toward objectives periodically, allowing for operational changes to constantly upgrade and improve the program.

WHAT WILL BE THE RETURN?

Investment of human and financial resources as detailed in this prospectus can have sizeable economic impact. The prospect for a stimulated economic environment in Southern Indiana can be greatly enhanced by an increase in public and private investment. The concept of using the interlocking sources identified in this SIHDC plan to apply leverage for increased economic participation is exciting.

The multiplier effect of expanded cash flow could have a significant impact on the day-to-day lives of hundreds of people in our area. The problems of joblessness and under-employment could be considerably diminished and human dignity restored to hundreds of dependent Indiana citizens through the creation of new employment as a result of expanded economic investment.

There are many sources of assistance: HUD, FmHA, RHA, NHC, OEO. They have been available for years. They are underutilized. Many of our people are still ill-housed. We hope to demonstrate that the concepts embodied in this proposal can be the catalyst for bringing the programs and the people together.

Many of the benefits expected are not really measurable. We do not offer this prospectus as a panacea. We offer it as a realistic major step.

Does Art Caspleck have the copy of the proposal that this refers to — Please get them together

SIHDC
Southern Indiana Housing Development Corporation
BOX 1152 COLUMBUS, INDIANA 47201 (812) 372-4477

April 5, 1972

APR 21 1972

Mr. Les Dunbar, Executive Director
The Field Foundation, Inc.
100 East 85 Street
New York, New York 10028

Dear Mr. Dunbar:

In reviewing my letter to you regarding submission of our Prospectus, I note that my reference to the key element of a Governmental Relations Specialist may leave some question as to intent.

I am aware of the provisions of the 1969 Tax Reform Law, and the concern that may arise with regard to possible partisan activity by a Governmental Relations Specialist. It is not our intent, nor did I want to suggest that this person would be involved in any partisan political activity or pressure for passage of legislation.

The Governmental Relations Specialist should be a person skilled and knowledgeable of the governmental processes, and who knows the public officials of Indiana. His role would be to open doors for discussion and consideration of the options available under existing federal housing programs, and in conjunction with other staff members, provide technical assistance in preparation and processing of appropriate applications.

The need for this element of the program is based on the existance in Indiana of a very conservative attitude about federal programs in general, and particularly public housing.

Unless we can gain sufficient confidence and rapport with public officials to create an atmosphere for fair exchange of knowledge and ideas about the reality of local control of planning and operation of public housing under the current program, this one program that offers a housing alternative for the very poor will continue little used in Indiana.

I hope that this clarification will answer any question with regard to the role of the Governmental Relations Specialist. I will appreciate your comments on our Prospectus.

Sincerely yours,

D. Bruce Wallace
Executive Director

DBW/rk

PRESENT

STATE CONFERENCE ON RURAL HOUSING

Thursday, May 4

9:00 - 10:00	*Registration*
10:00 - 10:05	*Welcome . . . . . Darl Snyder*
10:05 - 10:15	*Presiding & Conference Theme*
	Dr. Eugene Younts
10:15 - 10:45	*THE NATURE OF THE*
	RURAL HOUSING PROBLEM . . . . Clay Cochran
10:45 - 11:00	*Break*
11:00 - 12:00	*Panel: OVERVIEW OF THE RURAL HOUSING*
	PROBLEM IN GEORGIA
	Consumer . . . . . Jim Williams
	Industry . . . . . Charles Yeargin
	Government . . . . . John McDuffie
12:00 - 2:00	*Lunch*
2:00 - 2:45	*ADDRESS . . . . . James Neville*
2:45 - 3:00	*Break*
3:00 - 4:30	*HOUSING PROGRAM WORKSHOPS*
	Workshop IA . . . . . Single Family Programs
	Workshop IB. . . . . Single Family Programs
	Workshop II . . . . . Public Housing & Rent
	Supplement
	Workshop III . . . . . Land Development and
	Community Services
7:30	*Dinner*

Friday, May 5

	Presiding . . . . . Jim Parham
9:00 - 10:15	*Panel: NEW APPROACHES*
	TO SOLVING HOUSING
	PROBLEMS
	Land Banking . . . .Dr. Carol Van Alstyne
	Cooperative Housing . . . . . Roger Wilcox
	New Communities . . . Robert Thompson
10:15 - 10:30	*Break*
10:30 - 12:00	*Panel: NEW FINANCIAL RESOURCES*
	Housing Audience
	Council . . . . . .Clarence Richardson
	Federal Land Bank . . . . . Robert Darr
	Federal Home Loan
	Bank . . . . . W. I. Gadling, Jr.
12:00 - 2:00	*Lunch*
2:00 - 3:30	*HOUSING DELIVERY*
	SYSTEM WORKSHOPS
	Workshop I . . . . . .Technical Assistance
	Workshop II . . . Packaging Housing Loans
	Workshop III . . . . South Carolina's Rural
	Housing Program
3:30 - 4:15	*GEORGIA'S COMMITMENT*
	TO RURAL
	HOUSING . . . . . .Gov. Jimmy Carter
4:15	*Close Conference*

H & P Admin

HOUSING ASSISTANCE COUNCIL INC.

1601 Connecticut Ave., N.W. • Washington, D.C. 20009 • (202) 483-1426

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Raymond M. Wheeler
Andrew Yslas

Executive Director
Gordon Cavanaugh

May 16, 1972

Mr. Arthur Campbell
Southern Regional Council, Inc.
52 Fairlie Street, N.W.
Atlanta, Georgia 30303

Dear Mr. Campbell:

The Southern Regional Council has been designated by the HAC bylaws to be represented on the Housing Assistance Council Board of Directors. Unfortunately, this position became vacant at the resignation of Dr. Raymond Wheeler. At his recommendation, the Executive Committee voted on April 27 to elect you to serve as the SRC representative.

I am enclosing a copy of our guidelines and statement of purpose to familiarize you with the organization. I am also enclosing copies of the HAC NEWS.

If you are willing to serve, please send us your acceptance as soon as possible. I hope that we will be able to welcome you personally at the next Board meeting in late July or August.

Congratulations on your appointment.

Sincerely yours,

Gordon Cavanaugh

Gordon Cavanaugh
Executive Director

GC/ym

Enclosures

cc: Raymond M. Wheeler, M.D.

9-18-72

FDIC Proposes Rule To End Discrimination In Mortgage Lending

9/18/72

Regulation Would Require Banks To Explain Rejections if Forms Contain Racial or Ethnic Data

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON—The Federal Deposit Insurance Corp. proposed a regulation designed to carry out provisions of the 1968 Civil Rights Act that prohibits discrimination in mortgage lending.

Among other things, the proposed regulation would require banks under FDIC supervision to allow loan applicants to fill out forms stating their racial or ethnic background. Then, if the loan were denied, the rule would require the bank to fill out a second part of the form, giving the reasons for the decision. The form would advise loan applicants that, if they think they were denied a loan because of race, color, religion or national origin, they can request a copy of the full statement and file a complaint with the Department of Housing and Urban Development.

Banks would have to keep copies of these "fair housing informational statements" on file for two years after the date of the loan application.

In addition, the FDIC is proposing that banks list on every loan application the number of the census tract in which the property is located. An FDIC official explained that this would provide a way "to pinpoint a lending pattern" so as to determine whether a bank is limiting lending to particular areas or, perhaps, refusing loans to blacks who want to move into white areas.

The FDIC's proposed rules, which are subject to public comment until Nov. 1, would affect approximately 8,000 insured commercial banks and 326 insured mutual savings banks that have state charters and aren't members of the Federal Reserve System.

Fair Housing — Harry Baker

SRC — role — Jan 197

Jackson Workshop

Housing & Fair Housing

HB talk

Data on programs

TA to housing groups

Testing — materials

Atlanta —

SRC take lead

By laws Atl problems

Proposal —

Size of dwelling

Total rooms _____ Kit ? ____ bath

basement, B Rms, D Rms, Lv Rm

Sq. feet

Location of dwelling –

Rural County, Sub-County City Town(?)

actual address of Project

Kind of construction

Frame Brick Veneer Cinder block

other – (explain)

~~Type of roof~~ Roofing material Interior walls flooring

Paint

Any Special materials (explain) Foundation

Kind of Construction (Cont)

Pre-fabrication

Outside walls

Roof

Trusses

windows doors Cabinets

Special prefabrication

Source of Prefab parts

Single mfg? ____ Who _____

Utilities

Have need for electricity? ____ Amps.?

Type of Wiring ____ Is there a local Code

Would Wiring meet Standard of U.L.?

Plumbing — quality — hot & cold water

water heating? ____ type of pipe

Septic tank?

Source of water

Heat: type size?

35,
240 | 8500
72
130
120
100

Land —

Size of lot

Who owns the land —
Is land owned by dwelling occupant
If not by occupant of dwelling — explain basis on which land is available.
Cost of lot

Community facilities
Those part of the planned community

That accessible and used by the community.
Public Schools K 1-7 8-12
distances, transportation

Other documents

Type of Organization —
Why & how

Source of Funds

If special materials
how much involved are local people —

<u>Real estate</u>
Zoning —

Utilities
costs in securing —

Land Development costs & funding —
Source of helps

Financing & Cost

Total cost of dwelling / Sq ft. Cost

Cost to owner

Money

~~Cost~~ Sweat equity

Other (explain)

Subsidized Costs.

Public Funds (Source)

Private funds (Source)

Volunteer labor (what basis, how arranged)

Financing —

Downpayment

Monthly charges for mortgage alone

Interest

Term of loan

Other charges —

Insurance, utilities, improvements

~~Fees~~ Taxes

Are there other charges: dues, fees,

Income of occupants

Is there a limit on income what ____

What is general (average) income

Labor

Contractor, using full range of skills —

|

unskilled (or learners)

prospective homeowner

Volunteers (explain basis)

subsistence workers (explain basis)

H&P

Mr. Smith,

Thank you very much for the literature. It is of great personal interest to me, and I would like to know more about your program. Many people here at the university are also interested and found the reading material quite enlightening. I intend to take most of the pamphlets and books back to California with me, to be used by various programs which I am involved in related to human rights, national and international cooperation. However, Prof. Shapera would like copies for use by both Nairobi university and our program here, California Education Abroad. Would this be possible? I imagine that Prof Shapera could arrange to pay for the postage.

A copy of my talk, given while you were here, will be sent to you soon. I am sorry for the delay, but we have just completed a month of final examinations. You might be interested to know that Prof. Shapera was strongly criticized by architecture students here for not including them in the symposium, for not inviting more Africans to participate, and for not presenting an African student's opinion in an "American Diary" to contrast with my "Kenya Diary." In fact, Prof Shapera did attempt to do these things in the short time she was given, but African staff and student representatives were less than enthusiastic. This may give you some idea of the precarious and complex diplomatic situation here.

BEST COPY AVAILABLE

I am looking forward to hearing from you again.

Theanie Kelly

TO OPEN SLIT HERE — KUFUNGUA KATA HAPA

Sender's name and address: .....

AN AIR LETTER SHOULD NOT CONTAIN ANY ENCLOSURE; IF IT DOES IT WILL BE SURCHARGED OR SENT BY ORDINARY MAIL.

Issued by the East African Posts and Telecommunications Corporation

SECOND FOLD HERE — KUNJO LA PILI HAPA

AIR MAIL
PAR AVION
AEROGRAMME

NAIROBI 8-PM 21 JUN KENYA

OSTRICH
SPEND YOUR NEXT HOLIDAY IN EAST AFRICA

YOUNG THOMSON'S GAZELLE

Mirriard G Smith HOA
Bureau of Accounts and Manpower
Saint Paul's College Inc
P O Box [illegible]
Hilo Hawaii 96720
USA

BEST COPY AVAILABLE

Emory
FYI
H

File H&P

Memo

To: Art
From: Horace
Re: Atlanta Open Housing Scene

1. Jerry Cohen returned the revised bylaws with his comments. They are in the folder marked "bylaws-charter".

2. I talked with T.M. Alexander by telephone on 8/31/71. He ruled out the idea of inviting people from Chicago to come to Atlanta to tell Atlantans how to solve their problems. He said Atlanta is "different" and must evolve its own programs.

T.M. said he wanted to check with the Mayor and other members of his committee before

taking any action on open housing here.

He said also that he wanted to check with his son who works in Washington on HUD's FHA non-assisted programs.

He also suggested that I might want to meet with his Steering Committee which convenes again sometime about Sept. 22. I told him that something needs to be done before then since Caruso plans to see Romney on Sept. 14-15. That's when T.M. said he wasn't interested in what Chicago has done.

I have written T.M. directing him to address all further communication to you. (Copy of letter attached.)

T.M. did not rule out the possibility of supporting some kind of open housing program. What kind, I don't know. However, I would urge that you prod him to act if you feel his help is needed.

3. On 8/31, ~~[illegible]~~ prior to talking with Alexander I talked with Bob Newman who is a member of Alexander's steering committee. (Membership list attached.) Newman is very interested in the Legal Action Program, and he seemed to recognize the value of an organization like MAHC operating a comprehensive open housing program.

Newman said that he was going to call Caruso to see if HUD funds really are available. If

funds are available, Newman said he could put together an organization without any difficulty.

I have written Bob a letter (copy attached) urging that he try to involve MAHC in any attempt to operate a Legal Action Program. When I talked with him on the 31, Bob seemed very willing to do this –

It seems to me that Bob is a potentially valuable ally in getting something going here –

4. I talked with Randy Taylor by telephone on 9/3 – Hallerstedt was on vacation all of this week so we did not get to meet. However, Taylor is confident that he can arrange a meeting with you and Hallerstedt soon after you

return. Gellerstedt had not had time to read our stuff when I talked with Taylor, but Taylor was hopeful that Gellerstedt would be receptive to the idea of providing some kind of support for open housing.

MEMO

MGS

TO: PAUL File RDC: Housing & Planning

FROM: Moreland

SUBJECT: THESIS (Master in Planning) Art Campbell

for routing
circulate
answer
return
destroy
to files

14 January

We have finally tied down a specific time for Art to take off 2 Weeks with pay to finish his thesis!

I know you will be as glad as I am to get this tied down specifically.

MORELAND

Emog

For Information
alt

MORELAND GRIFFITH SMITH
F. A. I. A.
MONTGOMERY, ALABAMA 36106

M-E-M-O-R-A-N-D-U-M

To: Mr. Moreland G. Smith

From: Arthur C. Campbell ACC

Re: Leave time to complete thesis requirements.

In regard to a conversation we had concerning completing my thesis requirements, I am suggesting that I take two weeks off from work, beginning January 19th, to complete the necessary work.

Southern Regional Council, Inc.
5 FORSYTH STREET, N. W. ATLANTA, GEORGIA 30303
522-8764

PAUL ANTHONY
EXECUTIVE DIRECTOR

A Council to attain the ideals and practices of equal opportunity for all peoples in the South

EAST AFRICAN REPORT

by

Marjorie L. and Moreland Griffith Smith

Presented to the

Southern Regional Council, Inc.

The co-director of the Housing and Planning Program of the Southern Regional Council and his wife have recently returned from East Africa where they had the opportunity of attending a Kenyan-American Symposium on Architecture and Urban Design. Dean Sam T. Hurst of the School of Architecture and Fine Arts of the University of Southern California, Dean Robert H. Dietz of the College of Architecture and Urban Planning of the University of Washington, and Dean Ron H. Helms, Faculty of Architecture Design and Development, Nairobi, led a tightly scheduled two-day discussion of problems in housing, rural-urban relationship, economy, education, industrialization, and employment in both

countries. Though details may differ widely, the underlying problems have a striking similarity. Slums in Africa may consist of shanties constructed from old boxes, but the living there is no better or worse than in the deteriorating neighborhoods in the United States. Africa may indeed have a brighter future than we, for it can start from scratch. We have so much to undo.

Following the conference we were able to travel about the area and form personal impressions of the countries we were visiting, namely Kenya and Tanzania.

A two-week, first trip to East Africa is an exhilerating experience, leaving us almost over-stimulated by the wonder of it all. We had anticipated the herds of animals living in their natural setting, but we had not anticipated being able to observe some of their habits in so short a visit. Nor were we prepared for the wealth of exotic birds and the strange and beautiful plant life, the changes in scenery as we rose or descended in altitude. East Africa is high, most over 5,000 feet above sea level. Though it straddles the equator, the climate is cool at all times.

All of this was enough, almost more than we could absorb, but another and more important aspect of the land captivated us -- the people. In the territory we covered, two tribes ~~were~~ predominate, the Masai and the Kikuyus. The latter is traditionally agricultural. In the more remote areas, they live much as they have always done, in cleverly constructed round houses made by sinking poles into the ground, interlacing them with flexible boughs, and packing the spaces with clay. A thatch roof completes the structure. A single family may live in a complex of several of these units. Yet, even in the remote areas, tin roofs are beginning to replace the thatch, concrete blocks the mud. Some changes are taking place. However, the rural Kikuyu woman is no candidate for Women's Lib. She is never seen without a tremendous burden on her back. She carries it from a strap placed on the head. Most develop a deep groove in the bone structure of the head and a badly distorted spine early in life. Unlike most other African tribes, they do not carry loads on top of the head, so lack the erect, beautiful posture of most other African women. The men work outside the home, and many out of necessity, live most of the time away from their families. All hotel services are performed by men. The Kikuyu tribe also con-

tains many educated and urban people, including President Kenyatta. And just as the housing is beginning to change, so are other aspects of Kikuyu life. Every village has its school where the grounds are full of earnest young children in simple, attractive uniforms. In one field, the women are forking up the dirt for planting, all by hand. Yet the next farmer may possess a plow and a team of oxen. Domestic animals are subject to disease from the tsetse fly and thus are rare. But tractors are coming into use, particularly on the cooperative farms.

It is very easy to get false impressions in so short a visit, and we must emphasize that our observations make no claim to accuracy. Wherever possible, we questioned and probed. For example, one day we were taken to a coffee plantation. We were greeted by a white lady, offered coffee, and shown a staged performance of Kikuyu ritualistic dances. The costumes were obviously faked. Oil cans served as drums. All the white spectators had seats on one side of the performance, while a group of raggedy native women and children sat on the ground on the opposite side. Our reaction was one of disgust. We felt as though we were in Lowndes County, Alabama. Then we learned that the white lady did not own the plantation. She is the hired

manager. It is a Black cooperative venture. Perhaps the resident Blacks still have not freed themselves from the subservience they had to affect during white ownership, but at least they are on the way, and in time it will come. East Africa has more in common with the South than West Africa, for it was actively settled by whites several generations ago, and Blacks were used in a menial capacity, whereas in West Africa colonialism took the form of government by an absentee power.

President Kenyatta has charisma. He is respected and loved. While we were there he made a speech in which he said Kenya could move forward by hard work and "harambee" (cooperation, pulling together).

For a visitor, life is comfortable and pleasant. The city of Nairobi is beautiful. The streets are clean, litter free. Tall, clipped trees of bouganvillia and hibiscus line the major thoroughfares. Carefully trained ground cover of bouganvillia fills the center of the parkways. Several high-rise buildings are under construction. The skyline is already impressive. City services are efficient. The post office is the most orderly we have ever encountered. Food and hotel services are deluxe. Roads are rapidly being improved. Some are even being made four-~~land~~ LANE, with overpasses where railroads cross. This may give some

idea of the tremendous contrast within the country. Yet, perhaps it is more in kind than in degree than the difference between Buckhead and Summerville.

The treatment and attitude of minorities is of importance in East Africa. Again, we can make no statements of fact, only our subjective observation. Our tour guide was a young Kenya born, white man. He speaks fluent Swahili and appears to have real comraderie with the Blacks. He is issued a work permit for thirty days at a time, and knows that when he can be replaced by a Black, he will join the ranks of the unemployed if he choses to remain in his native land. For this reason, whites feel insecure in proportion to their own inner security. We have a white friend, Violaine Junod, a native of South Africa but of Swiss parentage. She came to the United States on a Phelps-Stokes fellowship during the Montgomery Bus Boycott, went to the SRC and was sent to Montgomery because the action was there at the time. She spent several months, attended many mass meetings, and knew Dr. King. She was subsequently expelled from South Africa where she had taught at the University of Durban. She now travels on a Swiss passport, but lives in Kampala, Uganda and teaches at Makerere University. We had a visit with her, and

she expressed complete satisfaction with her life. She feels that life everywhere is insecure, that ones only security is a skill, and she will continue to live and work in East Africa as long as she is needed. She said that many whites who left in fear are trying to return.

The sizeable Indian population creates another problem. East Africa has for centuries been influenced by Asiatics whose ships were blown to Africa in the fall by the Monsoon and home again in the spring. Many settled permanently, and their children were born there, yet they retain their ethnic ties. They are the shopkeepers, and money flows out of the country through them to India and Pakistan. Kenya has just put an embargo on Tanzanian money. Miss Junod said that it is because Tanzania has a larger Asian population than Kenya and this move will somewhat help stop the outward flow of money from Kenya. Americans in our group were saying that the new monetary policy was created because Kenya was more allied to the West and Tanzania to Red China. Miss Junod discounted this. She said that Red China is building the railroad in Tanzania, but there is no sharp division between the two countries except in the minds of westerners. In fact, we found western capital being invested in Tanzania. There

is a growing number of elegant safari lodges being built.

One problem facing these countries is ecological. Tourism is vital to the economy, and tourists come primarily to see the game which is the most unique in all the world. About fifteen years ago, Dr. Bernard Grzimak of the Hamburg, Germany zoo came with his son Michael to study the animals of Serengeti. The son was tragically killed. The work of these men ~~have~~ has born fruit, and now the local governments realize the necessity of extending the park areas to provide grazing land for all seasons. Yet there is continual pressure for more land for crops and a great deal of poaching. Natives have always been able to kill animals as needed for their personal use. Now it is prohibited. At the same time, the demand is greater as westerners clamor for items made of skins. Natives see western huntsmen drive by, their cars laden with trophies, and are naturally resentful. They cannot be expected to understand that this game was taken under a strict quota system. Money is too scarce to employ the game wardens needed to deter poaching. There is real danger that this last great stand of wildlife may be threatened with extinction. The East Africa Wildlife Society is hard at work to protect this vital resource.

One of our concerns on the trip was the complete absence of American Blacks in the most beautiful areas of the country, the parks. American Blacks travel extensively in Africa, but most have gone to West Africa. We did see a few in the hotel in Nairobi. They seem to travel abroad for professional reasons, and their schedules and expense accounts evidently do not permit what are probably considered as extras. Yet they should not be denied the wonderful experience of seeing the game, nor should western whites have these beautiful lodges in a Black continent ~~which are~~ as segregated as any American resort hotel.

We have left for last what is perhaps the most interesting of all the tribes in Africa, the Masai. These people spurn civilization, though they are considered of superior intelligence. As much as possible, they retain their tribal, semi-nomadic life. They herd cattle and goats, live on milk and blood. What money they need in this world that encroaches on their way of life, they get from selling beaded items. As we drive through the vast wilderness teaming with wildlife and see a single Masai among the game, armed only with his everpresent spear, we wonder about our sense of values. We sit in our car, walled off from nature. We fear. The Masai is part of nature, not apart from it. We

are tempted to conclude that civilization is evil and corrupted. Then we remember the great art, literature, and music produced in civilization, and we feel that perhaps civilization is neither good nor bad per se. Yet how to retain the good, how to recapture our sense of man's place in the scheme of things, this is the great unanswerable question we find ourselves facing.

PROFESSIONAL SEMINAR CONSULTANTS, INC.

3194 LAWSON BLVD. OCEANSIDE, NEW YORK 11572 516-536-7292

KENYAN-AMERICAN SYMPOSIUM ON ARCHITECTURE & URBAN DESIGN

MARCH 20/21 - TO BE HELD AT NAIROBI HILTON HOTEL

Saturday, March 20th

10:00	WELCOME	Prof. Nathan H. Shapira, Head, Department of Design University of Nairobi
10:15	THE POLITICS OF HOUSING IN AFRICA	Mr. Niels Jorgenson (Copenhagen) Research Fellow, Housing Research & Development Unit
10:45	THE POPULAR ECONOMY	Mr. Bruce Creager (Boston) Architect, Lecturer, Department of Architecture, University of Nairobi
11:15	NAIROBI & THE MATHARE VALLEY	Dr. David Etherton, Architect (London) Research Fellow, Housing Research & Development Unit
12:00	MAIN ADDRESS	Mr. David Mutiso, Riba, Chief Architect, Ministry of Works, Government of Kenya
1:00	LUNCH	Mr. & Mrs. David Mutiso, Guests of Honor
2:30	VISIT TO THE DEPARTMENTS OF ARCHITECTURE & DESIGN, UNIVERSITY OF NAIROBI	Professor Flemming Jorgenson, Head of Department of Architecture and Members of the staff

4:00	EXPERIMENTS IN EDUCATION	Dean Sam T. Hurst, University of Southern California, Los Angeles. Dean Robert H. Dietz, University of Washington, Seattle.

<u>Sunday, March 21st</u>

10:00	KENYAN DIARY	Hillarie Kelly, (University of California) Los Angeles.
10:30	HOUSING AND HIGHRISE U.S.A.	Dean Sam T. Hurst, University of Southern California, Los Angeles.
11:30	INDUSTRIALIZATION OF HOUSING & NEW TOWN IN EUROPE AND U.S.A.	Dean Robert H. Dietz, University of Washington, Seattle.
12:30	LUNCH	Guest of Honor: Dean & Mrs. Ron H. Nelms, Faculty of Architecture Design and Development.
2:30	SIGHTSEEING IN THE NAIROBI AREA	
5:00	END OF SYMPOSIUM	

PARTICIPATING PANEL

U.S.A.

Robert H. Dietz
Dean, College of Architecture and Urban Planning
University of Washington
Seattle, Washington

Sam T. Hurst
Dean, School of Architecture and Fine Arts
University of Southern California
Los Angeles, California

KENYA

KENYAN FACULTY MEMBERS TO BE ANNOUNCED

PAPERS TO BE PRESENTED

OVERVIEW OF HOUSING, U.S.A.

The Demands
Free Enterprise System
Zoning Regulations
Building Codes - Land Development
Legislative Powers of Small Communities
Financing Patterns and Methods Production
Private Sector
Public Sector
Coordinated Planning
Advantaged - Disadvantages
Future Developments

NEW TOWNS IN EUROPE AND THE U.S.A.

An Illustrative Analysis of Ten New Towns, Including:

Columbia, Reston, Valencia, Westlake in the U.S.A.
and Cumberlauld, Skarholmen, Tapiola, B.B.R. and
Markisches Viertel in West Berlin and Chandigah in India

IMPACT OF INDUSTRIALIZATION ON HOUSING, U.S.A.

History of Construction Process
Material Limitations
Management Problems

Systems Employed

The Mobile Home Industry
Previous Attempts

Mobilizing Resources
Corporate Organization
Federal Government Involvement
The Labor Movement - Restrictions
Future Implications

HIGH RISE BUILDING, U.S.A. - - SKIN AND SKELETON

An analysis of the Structural and Enclosure Systems of Prototype High Rise Buildings in Several U. S. Cities.

File RDC - Housing & Planning

Outline of what Task Force is up to

M

Goals of a report on equal opportunity in housing:

I. To evaluate HUD's and the Department of Justice's efforts to enforce the open housing law (Title VIII) in the South.

A. To point out weaknesses; e.g. inadequate manpower, absence of field offices, unnecessary administrative impediments to effective enforcement and to point out successes and suggest ways to improve enforcement.

II. To report state and local efforts to ensure fair housing in the South:

A. State and local fair housing statutes and anti-blockbusting laws.

B. Citizens groups concerned with neighborhood stabilization and fair non-discriminatory real estate practices. For example, SWAP. South Dekalb Neighbors --- hope to do a southwide survey.

III. Examine problems of locating public housing outside the central city -- role of federal and local government in achieving this goal.

I. Basic question raised concerning specific implementation of housing as typified by the Red Oak and Nishey Lake projects is how effective is the administration's commitment to dispersed low-income housing in the face of strong election year political pressures to prevent construction of the housing throughout the metropolitan area.

It is logical to assume that if the citizens of Red Oak and Nishey Lake succeed in halting the projects already approved for their areas, then every other community in metropolitan Atlanta will expect the same assistance from the likes of Congressman Thompson.

The purpose of a report on the Red Oak case is to counteract rumor, heated political rhetoric and misleading information about property values, zoning regulations.

A second purpose is to emphasize metropolitan Atlanta's need for dispersed housing vis-a-vis job opportunities, schools and available open land.

A third purpose is, hopefully, to point out and commend the administration's commitment to housing lower-income people outside the central city.

RDC - Housing & Plan.

Discussion Paper

Subject: Open Housing in Metropolitan Atlanta

Nat Welch, Director of the Community Relations Commission, (CRC) requested in June 1970 that SRC's Housing and Planning Program develop a research project on open housing in the Atlanta Metropolitan area. This paper presents the consideration given that request.

We recognize the absence, in the Metropolitan area, of any effective efforts to implement federal fair housing legislation. At least two communities have launched neighborhood stabilization programs but there is no evidence of a metropolitan approach. The merit of Welch's suggestion is readily apparent, without detailed documentation of other substantiating facts.

Presently, Horace Barker is conducting a study of fair housing laws and policies. Barker's study, however, is on a regional (and national) level. Certainly some information will be presented in that study helpful to fair housing efforts in Atlanta.

Generally, SRC's research projects are of a general nature and regional in scope. Therefore, it seems that we have several courses of action open.

1. Develop an SRC fair housing demonstration project.

2. Coordinate fair housing programs between existing agencies and organizations.

3. Help organize an independent agency to implement fair housing legislation.

Comments and Analysis: (?)

Reasons for one course as opposed to another:

<u>Outline of Proposed Program for Metropolitan Fair Housing and Neighborhood Stabilization</u>:

I. Research

A. Survey effectiveness of existing Fair Housing legislation throughout the region.

1. Recommend new local and state fair housing legislation.

B. Research Bias in Real Estate Advertisements in Atlanta

C. Monitor marketing of Real Estate

D. Periodic Measurement of Housing Demand

II. Information and Assistance

A. Complaint Procedures

B. Individual Rights

C. Redress greviances at local level

III. Organization and Training

A. Provide Educational assistance to existing fair housing and neighborhood stabilization organizations.

B. Organize stabilization groups in areas about to undergo racial transition.

C. Coordinate fair housing programs of all existing organizations.

IV. Monitoring of Institutional Planning that Affects Fair Housing.

A. City Departments whose programs affect stabilization and/or racial transition.

B. Zoning Policies of the various counties and municipalities in the metropolitan area.

Reasons supporting SRC Demonstration Project

1. No similar project in the region

2. Help us organize similar projects around the region

3. Have received request for research assistance in this area

4. Atlanta is a key city in the region

5. Could engage existing educational institutions to contribute relevant research

6. To demonstrate the effectiveness of a Metropolitan approach to open housing

RDC - Housing & Planning

1. Federal - Division of Equal Opportunity - Donald Webster

   a. Other cases in which this department has detected political pressure to prevent dispersal of similar projects.

   b. Is there Federal policy favoring dispersal of public housing?

2. State - Enabling legislation

3. Atlanta Housing Authority - Public Housing Section - George Sander

   a. criteria used in site selection
   b. other cases of similar opposition

4. Emory Legal Aid Service - Bob Newman

   Newman is working with citizen groups in Bedford Pines, an urban renewal area that is contesting the Atlanta Housing Authority's policies relative to relocation and (significantly) dispersal of projects throughout metropolitan area. May have identified cases where other Housing Authorities have refused to locate projects in white residential areas. In any event, we may have cases that are relevant to the present situation and interesting too.

5. Fulton County Planning Commission - Larry Fonts

   Review the zoning, noting what use is allowed

6. Fulton County Commissioners

   Establish normal procedure for permiting a project to be constructed.

   Action required of the commissioners.

7. Fulton County Building Inspector - Same Information.

8. Project Builders

   Establish procedure for this type turnkey project

   Review turnkey program before contacting builders

Establish character of proposed dwellings, cost/unit; number of bedrooms; general design.

9. Check the other turnkey project of the Housing Authority

especially for distance from central city. I think the project is in an unincorporated area of the county. The situation may be similar to the proposed South Fulton project except for the fact that it is not in close proximity to middle-income white residential areas.

10. Establish present and projected job situations in the immediate area of site.

1. Atlanta Housing Authority

2. Fulton County Planning Commission

RDC — Housing & Planning

STATEMENT OF OBJECTIVES AND PROGRAM
METROPOLITAN ATLANTA HOUSING CONFERENCE

Atlanta needs more and better housing. If we are to be "a new kind of city", we will need more than just replacement housing; we need a surplus of housing, particularly in the range of low and middle income units, or we shall be simply another inadequate form of the old stagnant urban complex of ghettos. America needs a new kind of city, and Atlanta has the ingredients for meeting that need. The objective of the Metropolitan Atlanta Housing Conference, therefore, is the provision of adequate housing for all the people of our city.

To this end, we commit ourselves to three specific areas of service:

1. Communication and Coordination.

   To act as an agent of communication and information, seeking through the most effective use of community media to sensitize the city to its needs and opportunities in housing.

   To establish an Office on Housing Resources which can serve as a clearinghouse for information concerning housing and a service center for people seeking assistance in finding housing, providing counseling and guidance on testing, financing, zoning, purchasing, and renting.

   To focus attention upon different neighborhoods of the metropolitan area, using a Neighborhood Spotlight Week and seeking to make available housing an important emphasis in such community programs as the Dogwood Festival.

   To develop and strengthen ties with other groups related to housing, both public and private.

   To publish a newsletter and other resources on housing as a means of keeping the community informed and of coordinating the activities of those concerned.

2. Low and Moderate Income Housing.

   To provide information to governmental agencies, from the municipal to the national level, of the need for more and better housing for low and moderate income families in the Metropolitan Atlanta area.

To work with such public agencies as the Atlanta Housing Authority and also with such tenant organizations as Tenants United for Fairness in order to bring about a more effective program of public housing.

To study laws relating to housing and to educate the public and governmental offices to get zoning regulations, tax assessments, and rental levels which are unduly restrictive or oppressive changed.

Pvt. efforts non-profit corp.?

To provide help and information to groups seeking to build or rehabilitate low income housing and to support public agencies in their effort to broaden the housing market.

To interest the business community in the support of housing for low income families and to encourage major private investment in the field from the Atlanta business community and beyond, seeking - if necessary - the introduction of major national firms into Atlanta's housing picture.

3. Equal Opportunity in Housing.

To coordinate groups interested in equal opportunity in housing and to stimulate the development of such groups throughout the metropolitan area.

To work with realtors and citizens to fight blockbusting and other unethical and illegal practices.

To institute a program aimed at breaking the traditional real estate buying habits of homeseekers in the Atlanta area, which results in a segregated residential pattern.

How funded

To educate government officials to the need for laws or changes in existing laws in keeping with the new Federal statute on equal opportunity in housing.

To act as a community spokesman in support of equal opportunity in housing and to assist the appropriate agencies in the implementation of the law.

H&P

Meeting of Consultants on Housing Discrimination

It is proposed that the individuals whose names appear below be convened in Atlanta on August 26 to consult with Housing and Planning staffers on discrimination in housing. Specifically, the purpose of this meeting is to have selected housing experts discuss the issue of discrimination in housing with a view toward suggesting one aspect of it that an SRC task force might focus on.

The proposed individuals are knowledgeable in various aspects of discrimination in housing:

Participants

- - - - LEON EPLAN, Urban Planner. Vice President of Eric Hill Associates, Inc., an Atlanta-based planning consultant firm. Good understanding of the impact of local and national policies on discrimination in housing.

- - - - PAUL DAVIDOFF, Co-Director, Surburban Action Institute - A White Plains, New York-based Institute for Surburban Research and Action. Was first to develop the concept of advocacy planning. An attorney and a planner. Probably understands as well as anyone in the country, the practice of exclusionary zoning. Now putting his ideas into practice in Westchester County, New York.

- - - - JOSEPH BATTLE, President, National Neighbors/Real Estate Agent in Cleveland, Ohio. Has thorough understanding of blockbusting and neighborhood stabilization.

- - - - BOB NEWMAN, Attorney with Emory Legal Aid. Attorney for the plaintiff in Red Oak Case in Atlanta. Sensitive to problems of concentration of public housing and wants to use the law to force local authorities to adopt dispersal policies.

- - - - JOHN INGLE, Field Representative of NCDH, also Director of Housing Opportunities Made Equal, Inc. in Raleigh, N. C. Has experience in working with private groups in the South.

- - - - GRADY NORRIS, HUD Atlanta. Has understanding of individual complaint process potential of Title VIII.

- - - - WAYNE C. THOMPSON, Owner of local Real Estate Firm. Should know practices and policies of real estate industry.

- - - - Representatives from Kentucky Open Housing Operation.

H&P

ITINERARY

July 29-31st

For: Arthur Campbell
Edward Cazayoux

Thursday, July 29th

Leave Atlanta 7:30 a.m.
Montgomery, Ala. 9:30 a.m. - 11:00 a.m.

State Highway Department I-59: proposed route and access points

Livingston, Ala. 2:00 p.m. - 6:00 p.m.

County Tax Assessor, Sam Webb: ownership patterns between sites. (topos, plat maps.

Farmers Home Administration - physical housing construction and design standards for loans - grants for construction of small water systems.

(After 6:00 p.m. - can be reached at: (205) 652-7406 - Meeting Hall of the Panola Landbuyers Association)

Friday, July 30th

Livingston 9:00 a.m. - 11:00 a.m.

County Engineer - water, sewage systems (I-59)

Local Realtors - land prices

Panola 12:00 a.m. - 6:00 p.m.

Field Survey of Tract # 2

Saturday, July 31st

Panola 10:00 a.m. - until

Annual meeting - Panola Land Buyers Association - Questions regarding: Program proposals and future land use

E.VIA

Proposed SRC Task Force and Housing Education Project

Housing discrimination is systemic, characterized by a set of forces that shape infant residential developments into segregated housing patterns. This proposal, therefore, is designed to (1) publicize efforts to end discrimination in housing; (2) educate citizen groups and government officials on various aspects of housing discrimination; (3) develop new information; and (4) mobilize individuals in the public and private sector to implement the ideals of the open society concept.

Rationale

Discrimination in housing is a problem that has been documented over and over. However, there has been no major coordinated effort -- public or private -- to solve the problem.

It is generally agreed that a tremendous amount of urbanization will occur in the South in the seventies. A "south" in transition would provide numerous opportunities to alleviate discrimination in housing and (perhaps even more exciting) start new cities and towns free of the problems (deteriorating tax bases, ghettorized housing, de-facto school desegregation) that plague Northern metropolises -- to a critical degree in Newark for instance. However, unless a wide range of people are mobilized to implement a variety of programs, these unique opportunities probably will not be fully capitalized.

The proposed task force is intended to focus on a specific aspect of housing discrimination (e.g. exclusionary or "snob" zoning, financing practices, blockbusting) that is to be selected after consultation with certain housing experts.

The proposed conference is conceived as a rallying point for mobilizing a diverse group of southerners to consider the issue and, hopefully, sti-

mulate them to develop and implement programs in their local communities. Information on all aspects of discrimination in housing would be disseminated to participants. The conference is useful with or without the task force. The task force is a vehicle for SRC action on the issue, but, without it, the Council will continue to provide information on the subject in hopes of stimulating others to act (as in the case of the Jackson Council, Jackson, Mississippi).

Tentative Program for Regional Conference

I. State and Local Action

A. Establishment of state human affairs department

B. Legislation

C. State Planning

D. Politics of Housing

II. Exclusionary (or "snob") Zoning/Restrictive Land Use Practices.

III. Blockbusting and Neighborhood Stabilization

A. Anti-Blockbusting Measures

B. Stabilization: Organization, Effectiveness, Potential

C. Real Estate Practices

IV. Redress Procedures

A. Complaints through HUD

B. Suits

C. Other

V. The Federal Role

A. Priority

B. Money

C. Manpower

Programmatic Implications

The conference is conceived as a vital step toward establishing a Housing Education Section as an on-going function of the Housing and Planning Program.

As a follow-up to the conference, this section would:

A. Publish handbooks on various aspects of discrimination in housing

B. Help establish housing opportunity centers

C. Serve as an on-going information center

HLP

I-N-T-E-R-O-F-F-I-C-E

M E M O R A N D U M M E M O R A N D U M

To: Emory Via

From: Moreland Griffith Smith

The Housing and Planning Program is badly in need of a clerk-typist (to work under Miss Varner) to help in getting the HPP Library and files set up before I leave in December. I have a lot of material in my office that has to be sorted and added to the files and library. I would like this done before I leave so that Art want be burdened trying to find it.

MGS:mv

HUD Area Directorship

JIM WESTLAKE

Chairman, Georgia Citizens for Reagan, August, 1967 to August, 1968. (Roscoe Pickett became Chairman and he became "Information Officer").

Speaker, Conservative Club of Georgia, January 11, 1968. Attended liberty lobby meeting here, December, 1967.

Reagan delegate to GOP National Convention, 1968.

Voted against a bill to prohibit individuals possessing bazookas, machine guns, etc. March, 1968.

While on active duty with the National Guard--putting in his hours--spent time selling insurance to other guardsmen.

Supported an ultra conservative independent for county chairman in 1968 against a Republican.

Sponsored bill to create a committee on un-Georgian activities with full subpoena and investigative powers.

Most vocal opponent of funding DeKalb Community Relations Committee, January 4, 1971--considering introducing a bill to kill it.

Consistently opposed to low-cost housing in county.

H & P

A&P

Depriving the Consumer

How Local Building Codes Help Perpetuate the Housing Crisis

This year the United States fell 1.6 million units short of a national housing goal of 2.6 million units. If we seriously seek to solve our housing crisis, we must begin to act against those institutional obstacles that frustrate housing programs. This article is addressed to one of those obstacles, local building codes, which have eluded public attention and public action. The present pattern for local building codes inhibits the development of housing innovation and growth of large-scale production — thus effectively depriving the final consumer of any benefits from these advancements. In the following pages, I shall describe the existing archaic pattern of building codes and show how it obstructs advancement in the homebuilding industry. I conclude, after analyzing three alternative solutions, that statewide building codes supplemented by federal incentives offer the most feasible approach to countering the detrimental effects of local building codes.

We are challenged today by the need to provide a large volume of housing at reasonable prices. In other areas of manufacturing, industrialization has been used to meet consumer needs. It should serve the same purpose in housing. By transforming the present system of housing production into a volume production process, we can build more housing at lower costs than is generally provided today.

Preliminary studies of the homebuilding industry indicate that industrialization can achieve cost reductions of five to 30 percent over conventional construction techniques. These estimates must be considered as best guesses, for industrialized mass production of housing has yet to be realized in the United States. But even if the reductions were no more than 10 percent, the aggregate savings would still be substantial. In 1967, $18.6 billion was spent on residential construction. This was an average of $14,060 per privately built housing unit, excluding the cost of land and site improvements. A reduction of 10 percent would have lowered the average cost of a unit to $12,660 and the aggregate savings would have been $1.86 billion. If those savings were reinvested into housing, an additional 146,900 units could have been built. Although the addition of these units would not have solved the housing crisis, the addition of 100,000-200,000 units over the span of a decade would result in a net gain of 1-2 million units, a major contribution to our housing needs.

ECONOMIES OF SCALE Secretary George Romney, by placing HUD's current emphasis upon "Operation Breakthrough," has directed the federal thrust toward increasing the efficiency of the housing industry itself. This new direction stands in sharp contrast to past programs. Instead of providing incentives to house building as such, HUD is offering incentives to transform the industry.

The crucial assumption underlying Operation Breakthrough is that, because the housing industry has been slow to industrialize, it is operating at a low level relative to its industrial potential. Volume production is the missing ingredient. If we can achieve volume production, we can enjoy cost savings resulting from factory production and economies of scale.

For the past 25 years both architects and engineers have possessed the technology to industrialize homebuilding. But institutional factors have blocked the implementation of this technology. Local building codes, in particular, have contributed to the housing industry's impotency. Much has been said about building codes; little is known for fact; and almost nothing has been done. Yet if we cannot overcome the existing out-of-date pattern of building codes, the efficiency sought through Operation Breakthrough will not be reached.

Today's pattern of codes is best described as a patchwork of small jurisdictions. With few exceptions, the states have delegated to municipalities the power to promulgate, administer, and enforce their own local building codes; and this is a power that the municipalities have eagerly used. Enactment of specification codes based upon traditional ways of doing things, the liberal use of prohibitions against the introduction of new materials and building techniques, are hallmark consequences of this state-granted freedom. To understand better why codes distort and defeat efforts at housing industrialization, we shall isolate three critical dimensions of the current building code structure: fragmen-

THE AUTHOR

Charles Field, 29, is currently a Catherine Bauer Wurster Fellow at the Harvard-MIT Joint Center for Urban Studies and a Ph.D. candidate in the Department of City and Regional Planning at Harvard. He received his BA from Cornell and MA from the Department of Urban Planning at NYU. He has published articles in the Journal of Urban Law *and* Reviews in Urban Economics.

PAGINATION INCORRECT

tation, restrictiveness, and the imposition of additional costs.

Fragmentation

According to the Advisory Commission on Intergovernmental Relations, approximately 12,000 individual communities issued building permits in 1966. In 1968, the Douglas Commission made a comprehensive survey of building code regulations in 2,500 governmental jurisdictions with populations of 5,000 or more. It found that slightly over 80 percent of all the communities had some form of building code. For cities over 50,000 in size, the figure was 90 percent.

DISUSE OF MODEL CODES Proponents of the existing pattern argue that some uniformity does exist, since many communities use one of the four national or regional model codes (National Building Code, Uniform Building Code, Southern Standard Building Code, and the Building Officials Conference of America's Basic Building Code). These are modern performance codes, and each sponsoring organization is constantly testing, approving, and incorporating new materials and techniques into the code. According to the Douglas Commission survey, almost 52 percent of the communities with building codes reported that their codes were based substantially on one of the models; an additional 15 percent had codes which were modifications of one of the models; and a significant number, 33 percent of the communities surveyed, indicated that their codes were not patterned on any of the models.

Although these statistics indicate a substantial degree of uniformity, they belie the real diversity stemming from the way in which codes are administered and enforced locally. The lack of any real uniformity is attested by the immediate victims of the system, the builders. Richard Wasserman, President of Levitt and Sons, testified before the Subcommittee on Housing and Urban Affairs of the Committee on Banking and Currency that:

> There is not a single home in the entire Levitt and Sons line — and we have some 60 houses in the line — which can be built in different locations without modifications to respond to the requirements of local building codes and the local building inspectors who interpret these codes. These changes are costly to us. They keep us from using modern management techniques and result in higher costs and lack of efficiency.*

Wasserman's statement succinctly summarizes the negative effect of fragmentation. The process of innovation, particularly the radical type of innovation envisioned in Operation Breakthrough, is a difficult and costly undertaking. The need to readjust continually to meet local code requirements compounds the problems of procedure and product design and increases the uncertainty of market success. The greater the degree of fragmentation, the greater the uncertainty for private firms undertaking research on new and improved products and techniques of construction.

ACCOMODATING SMALL BUILDERS Fragmentation also affects the industry by inhibiting large-scale production. The small builder operates in one or two communities at any one time, minimizing the number of codes and code enforcement agencies he must satisfy. The larger producer relates to many communities. Problems of accommodating to codes and agencies increase as fragmentation increases. The greater the number of problems, the more difficult it is for the volume producers to survive. Obviously, small builders will favor fragmentation as an institutional means of protecting themselves from the invasion of volume producers into their markets. When fragmentation is severe, which is the case today, savings to the consumer from volume production are lost.

Restrictiveness

Local governments are notorious for obstructing the introduction of innovative building techniques. Communities do this through the use of specification codes which list in detail the type of materials to be used, how they are to be used, and the method of construction. The specification code invariably spells out the old, tried, and tested way of doing things. Performance codes embody a more progressive approach to building regulations. They specify the objectives to be attained and leave the choice of material and construction method to the designer. For example, the performance code will establish the minimum acceptable load-bearing capacity for a wall, rather than specifying what materials will be used. The four regional model codes are essentially performance codes.

The Douglas Commission survey asked local communities whether fourteen building features, accepted by the regional model code groups, were permitted or prohibited under their own local codes. The responses, reproduced in Table 1, underscore the substantial lag between tested and approved technological advances and local institutional acceptance of those changes. The prohibition rate for some of the features was quite high.

A surprising finding was that communities which adopted model codes were not significantly more progressive than the national pattern. In fact, the differences in restrictiveness for each item were often minor between those who adopted and those who did not adopt model codes. The problem does not lie with the model codes themselves but with local modifications which exclude certain forms of innovation.

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*(*Housing and Urban Development Legislation of 1969*), Hearings before the Subcommittee on Housing and Urban Affairs, p. 390.

RADICAL AS PLASTIC PIPE The more radical the departure from the conventional wisdom, the more pervasive the restrictions. Among the fourteen features listed, for example, the greatest discrimination is against plastic pipe. Yet it is most likely that the greatest cost savings will come with the most radical changes in homebuilding. The imposition of prohibitive codes works toward the preservation of those local economic interests currently doing business in residential construction. The real loser is the consumer, who is deprived of the advantages in quality and lowered cost possible with innovation.

Imposition of Additional Costs

The fragmentation among communities and the restrictiveness of many obsolete codes together add extra construction costs without adding extra quality. A *House and Home* colloquium of housing experts in 1958 asserted that building codes add almost $1,000 of unnecessary cost to each new home. A New York builder reported in 1967 that the cost of building a house in Scarsdale, New York, was $2,000 greater than that of building an identical house in Greenburgh, Connecticut. In Scarsdale he built under a specification code. The builder commented: "If the Scarsdale code produced better housing, we'd have nothing to say . . . but it simply puts an extra charge on housing that has no value to the home owner."

A more recent study by the Home Manufacturers Association for the Douglas Commission asked home manufacturers to indicate the additional cost of a home built to local code standards over the same home built to their regional model code or F.H.A. standards. For a 1,000-square-foot house which would have cost $12,000 under the model code of F.H.A. standards (cost of land excluded), the 20 reporting manufacturers estimated an average extra cost of $1,838. In terms of three particular factors, the additional cost due to rigid specifications for electrical conduits was given as $300;

Table 1

PROPORTIONS OF LOCAL BUILDING CODES THAT ENTIRELY PROHIBIT VARIOUS FEATURES IN RESIDENTIAL CONSTRUCTION: 1968

	Percent of Governments Prohibiting Feature	
Construction feature	*All governments with building codes*[1]	*"Model code" governments*[2]
Plastic pipe in drainage system	62.6	61.7
2" by 4" studs 24" on center in non-load-bearing interior partitions	47.3	43.5
Preassembled electrical wiring harness at electrical service entrance	45.7	44.8
Preassembled combination drain, waste, and vent plumbing system for bathroom installation	42.2	39.6
2" by 3" studs in non-load-bearing interior partitions	35.8	34.7
Party walls without continuous air space	26.8	27.4
Single top and bottom plates in non-load-bearing interior partitions	24.5	23.5
Wood frame exterior for multi-family structures 3 stories or less[3]	24.1	22.0
½" sheathing in lieu of corner bracing in wood frame construction	20.4	21.1
Prefabricated metal chimneys	19.1	16.9
Nonmetallic sheathed electric cable	13.0	13.0
Wood roof trusses 24" on center	10.0	10.3
Copper pipe in drainage systems	8.6	9.4
Bathroom ducts in lieu of operable windows	6.0	5.3

[1]These data pertain to the 3,273 municipalities and New England-type townships of 5,000-plus that have building codes.

[2]These data pertain to the 2,199 units (of the 3,273 total) that have building codes reportedly based primarily upon one of the four national or regional model codes.

[3]Calculation excludes governments that entirely prohibit frame residential construction (77 altogether, including 59 "model code" governments).

Source: Manvel, Allan, *Local Land and Building Regulation,* Research Reports No. 6 of the National Commission on Urban Problems (Washington, D.C.).

the required use of plaster instead of gypsum board added $200; and sheathing requirements above F.H.A. standards added $125.

Richard Wasserman of Levitt & Sons, testifying before Congress in 1969, stated: "We arbitrarily increase our costs because we are forced to adhere to codes and requirements imposed upon us from without, codes which stifle innovation and stifle any rational approach to mass production, codes not required of other major industries." The consumer pays for these excesses in the purchase price of the house, but he does not know that they are not necessary for a pleasant, safe, and sanitary home. Other families pay by not being able to buy new housing. For them, the marginal increase in costs due to outdated codes places the price of housing beyond their financial reach. Low-income families pay, by being forced to remain in substandard housing. At any given level of subsidy, the higher the costs of construction, the fewer the number of subsidized units which can be created for low-income families.

Local building codes, through fragmentation, restrictiveness, and the consequent imposition of additional costs have placed and continue to place severe restraints upon the industrialization of housing. The negative consequences are twofold. First, innovation is stifled. Second, the development of mass markets, a prerequisite for volume production, is inhibited.

REPEATING APPROVAL Specific innovations are either prohibited in the code, as in the case cited of plastic pipe, or blocked because of the high costs of obtaining product approval or of trying to amend local codes. To protect the public, innovators must test new products and building processes to ascertain their performance characteristics. Innovators willingly accept this cost of testing if they can then see their way clear to a sufficiently large market. But the local building code pattern is counterproductive because the innovator is forced to repeat the process of product approval or code amendment in each community that he wishes to enter. Approval in one community does not automatically mean approval in the next. This decision depends upon the local building code commissioner.

If the specific innovation poses an economic threat to local interests — for example, prefabricated housing is a threat to the sales of local material suppliers, to the jobs held by local unions and to the contracts held by local subcontractors — it is not surprising that pressures are brought to bear upon the local code commissioner to prevent its introduction by refusing to grant the innovation approval under the local building code. Interest groups such as material producers, unions, code officials, and subcontractors have been, and still are, more influential in the creation and maintenance of codes than the home manufacturer. Many communities require, for example, that a member of the local building trades union or local builders association be included in the community's building code agency.

THE INNOVATOR AS OUTSIDER The innovator stands as an outsider, attempting to persuade the community to act in opposition to certain local interests. Consequently the battle for innovation is likely to become a long and costly encounter. The more radical the departure from the traditional, the more arduous the fight. It is not surprising to discover that there is a willingness sometimes to make incremental changes in housing technology but rarely to make major breakthroughs.

The second consequence of fragmented and restrictive building codes is to limit the potential size of any individual firm. The jigsaw puzzle of local code jurisdictions and the variations in standards that exist from code area to code area significantly increase marketing problems and production costs. Home manufacturers, unable to aggregate large markets, hesitate to invest monies in the plant and equipment prerequisite for mass production. The risk of failing to develop a mass market is great; thus there is a tendency to keep investment at relatively low levels. Given that the market potential for large-scale production is minimal under the existing structure, the possibilities of achieving the economies of large-scale production are almost nonexistent.

If we hope to industrialize the homebuilding processes, we must come to terms with the problem of local building codes. The approach of Operation Breakthrough is to subject innovative concepts to stringent tests. By this testing, Assistant Secretary Finger asserts, "It is our hope that local authorities will accept the concepts in lieu of their existing codes. That is what we are driving for" (*Journal of Housing*, November, 1969, p. 590). It is HUD's experience that national testing with the aid of the various code groups is required, because these groups have had difficulties in coordinating their mutual efforts. By working together Finger believes that a breakthrough can be made.

However, a policy which aims to persuade communities to change on the basis of stringent federal tests is precarious. HUD's implicit argument is that restrictiveness and the hesitancy to accept innovation stem from a lack of local technical understanding of innovative systems. Once the community's building code agency understands the technical performance of the system, HUD believes, the community will be more receptive to change. Thus, stringent federal testing is seen as an appropriate strategy. Although there is some merit to the argument, it obscures the more basic and selfish reasons for restrictive local codes. To rely too heavily upon persuasion is to do too little. More direct action is needed.

MORE THAN PERSUASION There are three possible courses of action: First, at the local level, voluntary adoption by each community of one of the four existing model codes might provide the sought-after modernization and uniformity of codes. Second, a compulsory federal code could be legislated. Third, the building code function might be returned to the state level in the form of statewide, compulsory building codes.

Voluntary adoption of a model code is the least appealing alternative. At issue is not the quality of the model codes. That quality is high. At issue is the procedure by which model codes are adopted by local communities. In most states, communities can voluntarily adopt one of the model codes, but they are free to modify the code as they see fit. Furthermore, once the model code has been adopted there is a tendency not to keep it up-to-date.

Existing federal incentives for local communities to modernize and adopt nationally recognized codes have so far proved ineffective. Section 701 of the Housing Act of 1954, as amended, provides federal assistance to local and county governments who modernize their codes. Under the "workable program," another federal incentive, the locality must adopt a building code based upon a national model before the community can become eligible for urban renewal assistance. The existing pattern of local building codes attests to the failure of these approaches at the present time. As long as the power to promulgate building codes is left in local hands, the probability of rectifying the building code mess must be considered low.

A federal building code is an attractive alternative solution. A national code with appropriate modifications to provide for local soil and climatic variations is technically possible to develop. But this solution seems the most politically remote of all. A federal code would represent a shift in public powers, and this is contrary to the current emphasis on the movement of power from Washington to the states. Moreover, the federal government has yet to establish a uniform code for its own construction (roughly 35 different agencies are responsible for construction) which raises questions about the feasibility of establishing a uniform code for the nation.

FHA - SET STANDARDS The federal government does act in an indirect manner, however. F.H.A., for example, sets minimum standards of construction. A building that does not meet minimum construction requirements cannot secure government-insured mortgages. Widespread use of F.H.A. insurance, therefore, means widespread use of these standards. But the standards are not applied to whole communities nor do they restrict a community from tacking on excessive standards.

Government has acted through incentive programs to bring local codes up-to-date. Although the incentive approach has achieved questionable results at the local level, it should not be discounted as a useful stimulant to code reform. Incentive was directed at the wrong level of government. States, not local government, should be the prime recipients of a federal incentive.

The federal government can facilitate the innovative process by creating a national testing agency which will provide state and local building agencies with authoritative test data on new products and building processes. The lack of such data has often slowed the rate of innovation acceptance. Many building code commissioners, cautious about accepting unfamiliar new techniques and materials, require stringent tests before approving their use.

A constructive step toward federal responsibility is the concept of a National Institute of Building Sciences. This Institute, proposed in Congress by Senator Jacob Javits (R-N.Y.), and others in 1969, would have the power to develop standards for all building materials, and standards for use in creating local building codes, and it would also promote studies on new construction techniques. Its functions would be oriented primarily toward research, and its decisions would not be binding upon local communities.

GREED IS AN OBSTACLE A key postulate to the bill is that the absence of uniform building codes inhibits innovation and increases construction costs. Senator Javits, in presenting his bill, concluded that "this fragmentation [of building codes] is clearly not in the public interest. . . . We cannot allow fragmentation to defeat the housing goals which the Congress, itself, has set for the nation." The absence of an authoritative national source of information on recent innovations in building techniques, Javits feels, hinders the local acceptance of new procedures. This same premise was a crucial one for Operation Breakthrough. Certainly, increased knowledge can eliminate problems of ignorance, but it cannot on its own in the American system eliminate the other obstacles presented by the preservation of economic interests or local political power.

The bill faces political difficulties because several government departments are currently doing their own research on building codes; in particular HUD and the Department of Commerce. Both these departments were critical of the bill since it conflicted with their own interests. But the major flaw in the bill is its lack of power to coerce. It fails to suggest how one gets from the promulgation of Institute standards to the implementation of uniform local building codes.

The third alternative, the creation of statewide building codes, is the most desirable solution. Mandatory statewide codes that are based upon performance standards could stimulate both mass production and

innovation in homebuilding. They would allow for the creation of large markets, a precondition for mass production. They would also result in the consolidation of 12,000 jurisdictions into 50. Innovators would need to convince only one testing agency, the state, as to the acceptability of their products, and this would eliminate the costly and time-consuming process of applying for approval in each local community.

Statewide building codes are constitutionally and politically feasible. Although the states have delegated to local communities the authority to enact building regulations, they have the constitutional power to rescind that grant of power and enact their own codes. California, Connecticut, Indiana, Minnesota, New Mexico, New York, and Wisconsin have all passed statewide codes. Unfortunately, to facilitate political acceptance, one- and two-family dwelling units have been exempted from several of these codes. Such exemptions leave a large portion of new housing under the old, outdated local codes. Furthermore, in most of these states, the codes set only minimum standards, allowing localities to legislate stricter standards if they wish. This has effectively fragmented the state code pattern, and any benefits of uniformity have been lost. In New York and North Carolina, the codes provide both minimum and maximum standards. Any community seeking special local variances to the state code must appeal to the state code authority. Both states have looked with disfavor upon any major departure from uniformity.

HOME RULE VS. NEW CODES Connecticut has one of the most progressive codes on the books. Beginning in October, 1970, the code will be compulsory for all communities in the state. Like New York and North Carolina, local deviations from the code must be appealed to the state code authority, but such deviations are discouraged. Connecticut goes further than the other two states with the insertion of a provision for the state certification and approval of new materials and building techniques, certification being binding upon the local communities. This certification is a major step in favor of innovation. California has recently passed a similar certification program for factory-produced housing.

Home rule has always been a major stumbling block to compulsory statewide codes. New York circumvented the problem by passing a voluntary code. Once adopted by a community, the state code becomes binding and covers all future amendments. The North Carolina code exempted rural and farm buildings along with one- and two-family dwellings, thus taking some of the bite out of the bill but making it more politically acceptable.

Massachusetts, a strong home rule state, is currently attempting to reconcile the localism with the progressivism of a statewide code. The author is assisting Republican Representatives Martin Linsky and Bruce Zeiser, who have submitted a compromise bill that would establish a voluntary minimum-maximum statewide code. To insure the modernization of local codes, they will have to be approved every five years as being consistent with the statewide building code. State certification procedures are also to be established to insure the benefits of innovation. Once a product or system is given certification, it will be binding upon all local communities whether the community uses the state or an approved local code.

States do have the resources to establish and maintain a state building code agency, though the costs of adequately staffing such an agency are high. Professionals from architecture, engineering, and building construction are needed to develop codes and to keep them up-to-date. Additional costs are involved in research into new products and building techniques, as well as in offering continuing education for building inspectors. Only a few of the largest cities have the resources to undertake this burden and none of the smaller cities or towns. But it is within the reach of the states.

HILL-BURTON GRANT PROGRAM The federal government can give the states added leverage. A successful precedent for such a building code incentive program is the Hill-Burton Hospital and Construction Act. The grant program, designed for hospital construction, works through the states to local communities. States are required to adopt construction standards which meet federal minimum standards. Moreover, to qualify for grant assistance, states are required to establish standards of maintenance and operation of the hospitals built under the program. To date the program has funneled $3.3 billion of federal assistance to the states.

Statewide codes, similar to those recently passed in several states, can overcome the local building code problems of fragmentation, restrictiveness and imposition of additional costs. These codes should be compulsory, specify maximum as well as minimum standards, and incorporate certification procedures. The benefits of statewide codes would be major while their costs would be relatively small. The public will benefit through cost savings, responsiveness of the building industry to technological change and in housing quality improvement. In the final analysis, the issue is whether the states are willing to exercise their political responsibilities in the area of building codes. The passage of statewide codes is the best available solution today to free the housing industry from the regressive effects of the local building code pattern.

—CHARLES FIELD

Sponsors of Open Housing Investment
1914 Connecticut Avenue, N.W., Washington, D.C. 20009 (202) 265-9448

To: Congressman Don Fraser, *Chairman*

From: Jack Tatum, *Field Secretary*

> "The time is short, the hour is late, the matter is urgent. It is not incumbent upon us to complete the task; but neither are we free to desist from doing all we can."
>
> — *The Ethics of the Fathers*

On my initial field trip across the country, the attitude of the loosely federated SOHI sponsors was that we must assault that involuntary entity, "The Ghetto" — so Morris Milgram and I found many of our friends from Harrisburg, Pa. to Dallas and Houston, Texas and to the Bay Area of California hungry for new possible investment opportunities.

The message which was taken to our friends was that SOHI had a valuable service to offer — to locate and identify local housing efforts which were in the spirit of SOHI and to bring these projects into the same arena with sponsors. In some instances perhaps just the idea was there, in others just willing and concerned supporters. But our pooling resulted in some very interesting beginnings.

Harrisburg, cold, wet and snowy and on the surface inhospitable, was really something else again in terms of interest in SOHI program proposals.

There were four well-attended meetings arranged by Kay Pickering. This set of meetings was mostly a presentation of SOHI and an effort to seek out new sponsors and new ideas for programming. I think if our mail — following the meetings — is an indication, things went well.

The group in Harrisburg is ready to operate as a local SOHI Committee. There was a great desire to do this first and later do more with SOHI nationally.

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ANNE W. SHULL
Administrative Director

JACK TATUM
Field Secretary

Texas meetings produce return request

In Houston, Texas, our meetings put together a group which included the leader of Operation Breadbasket, a real estate broker, a clergyman, a politician, and a physician with real estate holdings in a good area of Houston. I left that meeting with the feeling that a fine proposal for development of housing with a social purpose in mind would soon find its way into the SOHI office, and after carefully evaluating this proposal SOHI would then be able to introduce our Houston area sponsors to a possible new Open Housing Project.

The Dallas visit produced similar results. The Dallas trip was beautifully handled by the Greater Dallas Housing Opportunities Center and was well covered by the media. Morris Milgram's speech received a standing ovation at the annual meeting of GDHOC and generated much interest in new ways to approach the open housing question. Dallas also provided an opportunity for me to switch hats and provide some neighborhood open housing counseling. The Stults Road area of Dallas, which lies to the north of the city, was experiencing the beginning of the "turn" — the neighborhood syndrome. A fifty-lot development just to the rear of a presently-tokenly integrated community is being marketed solely to black families by a local real estate entrepreneur, who also happens to be black. The result of all this is that SOHI has received a request by the neighborhood group to return to Dallas to give further assistance and speak to groups other than GDHOC on various approaches to successful equality of opportunity in housing programs.

Local SOHI Committee sought in California Bay Area

The San Francisco Bay Area was where most of the work was done — it was like being the welcome traveler from the East. At four house meetings arranged by SOHI board member Lee V. Barker, our sponsors were truly happy to at last see the representatives of the group held together by mails. They now really believe that we do work out of Washington and that we really do care. It was there that more talk of SOHI Committees was heard. In fact a local black architect, Jim Stephens, volunteered to convene the first meeting. I think this is an indication that we should move rapidly to consider some possible structure arrangements for SOHI nationally; for the feeling of sponsors is very much in favor of tightening up the more than 23,000 sponsors and really looking at what we have here. I am of the opinion that the potential of this nationwide group to have a tremendous impact on the housing trends in this country has not been weighed thoroughly.

The situation in Northern California is critical and the communications gap is very wide. There were real estate people who had ideas and had never heard of an architect who shared the same dream. There were developers who weren't aware of possible land parcels where a part of the dream might be fulfilled. In these cases we proved to be a helpful catalyst.

Possible investment opportunities in Atlanta

After returning to Georgia, I was so thrilled with the response our idea received on the West Coast that I spent some time ferreting out some possible investment opportunities. I talked with several groups in the Atlanta area and once again the idea was well received. I heard more talk of organizing SOHI Committees in Georgia cities.

I am hopeful that we will be getting soon a proposal from NOVATION, Inc., a diversified Atlanta group of architects, builders, planners and social workers who want to do some open housing construction in the Metro Atlanta area.

Bill Edwards of Modular Sciences of Atlanta has also expressed interest in working with SOHI and our sponsors on the local level.

I am spending time with Arthur Campbell of the Southern Regional Council of Atlanta discussing possible ways our sponsors in the Alabama and Mississippi area can get involved now in the Pinola Land Buyers Association Project in Pinola, Ala. This is a group of rural residents who after a long legal battle have acquired 1,132 acres of ground and are desperately in need of funds and technical assistance.

I also found that black groups respond well to the idea that ghettos are involuntary places and that, when properly presented, this concept can move them towards favoring the abolition of ghettos.

Indeed the time is short and the hour is late, the matter is urgent, the necessity of great private assaults on the walls of ghettos is of utmost importance.

SECOND TRIP

I returned to Dallas for four days at the request of Kay de Wit of the Greater Dallas Housing Opportunities Center to assist on the problems of the Stults Road neighborhood, where we were able together to work out some approaches that may help prevent the concentration of black families in one section of the community.

A proposal from Dallas

This trip was also our first opportunity to test our local project identification program. As a result of our initial trip to Dallas, a proposal was submitted by Bill Stehr, President of the North Texas Association of Unitarian Universalist Societies, seven local churches which have 152 low-income units under construction. The proposal is a very interesting one, in that it offers an opportunity to get a long-term option on a suburban plot good for about 100 garden apartments. If the details can be worked out, we will see a chance to develop 100 units of racially and economically mixed housing.

Procedure for SOHI assistance

Here's how SOHI could provide assistance. The project would be written up with a one page summary by the principals and would be submitted to the SOHI Board. If the Board felt it met SOHI's goals, a meeting with local SOHI sponsors would be arranged and this project, hopefully along with others, would be presented as a possibility for our local supporters to become involved right at home.

There's lots of local enthusiasm for this project and we hope a favorable method for carrying it to completion can be worked out.

Interest from Louisville

A side trip to Louisville, Ky. at the request of the Louisville Housing Opportunities Center has started the wheels moving toward similar proposals from that area. They want local private funds directed toward increasing housing options outside of ghetto locations.

SOME POST-TRAVEL REFLECTIONS

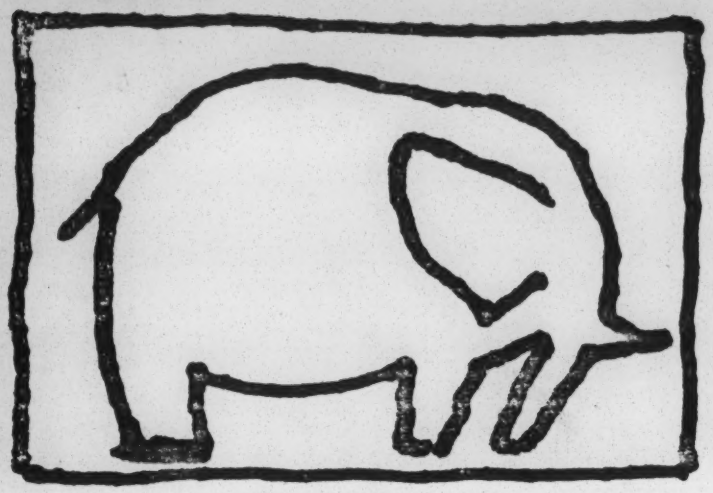
My trips confirmed my suspicions that my black brothers and sisters and I are still isolated and captured in ghettos so that a full view of America's promise is not possible for so many of us.

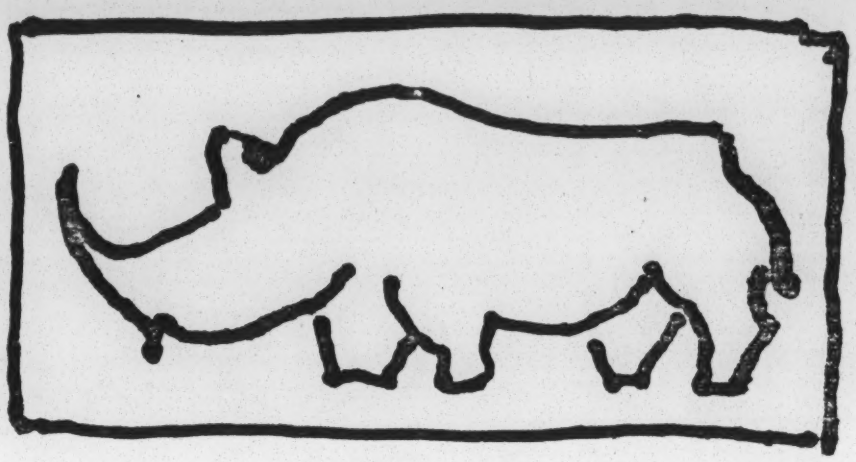
Constant rebuffs of attempts to enter the mainstream have resulted in a severe lack of enthusiasm for strategic participation on the part of many blacks.

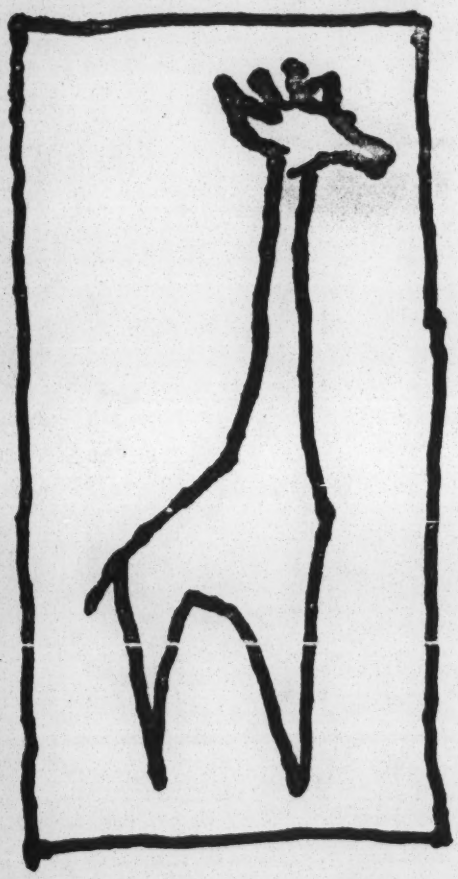
Thus, the work of SOHI and National Neighbors becomes ever so urgent, since open neighborhoods, like the 37 affiliated with NN, afford a unique opportunity to blacks for a broader view of American life so that we can develop a more realistic strategy for full participation in an open society.

Jack Tatum

Emory Vis







Fitz - H&P.

JAMBO!

KUJA ----- SAA ISHIRINI.

THELATHINI NA NANE PEACHTREE CIRCLE, KASKAZINI MASHARIKI KULA, KUNYWA.

KUONA PICHA-----SAA ISHIRINI NA MOJA.

KAPA FULUSHI-----SAA ISHIRINI NA MBILI.*

*ANYONE HAVING DIFFICULTY WITH SWAHILI OR OUR APPROXIMATION THEREOF, SEE MOZELLE FOR ASSISTANCE.

H&P

→ ENDORSEMENTS FROM INDIVIDUALS INTERVIEWED

→ STATEMENT of Univ. Cooperation on Research Projects

→ ATTORNEYS OPINION RE: to ANY CHANGES IN BYLAWS.

→ WORKOUT INTER-ORGANIZATIONAL PARTICIPATION
1. URBAN LEAGUE — may 26th.
2. INTER-FAITH — " "
3. Identify Others-

SRC DEVELOPED PROPOSAL → EXEC. BD. MTGS. [1] (June 9th) → INCORPORATE BD's SUGGESTION INTO PROPOSAL [4] → FULL AMHC MEETING [1] (June 28th) → INCLUDE AMHC's ACTION INTO PROPOSAL [3] → Review Proposal with Exec. Dir. [1] (July 2nd) → SUBMIT PROPOSAL TO FUNDING SOURCES (July) → Contact Local Sources

[7] Letters to AMHC Members EXPLAINING PROPOSAL SET MTGS.

1. POSITION / PROPOSAL
2. Elect CHAIRMAN
3. " DIRECTOR

Agenda
1. PROPOSAL (SRC)
2. NEW CHAIRMAN/DIRECTOR
3. FUNDING → PROSPECTIVE CONTACTS (SOURCES)

1. John GLUSTROM -- FIELD FDN.
2. A.B. PADGETT -- (after completing proposal)
3. IVAN ALLEN -- FORD FDN.

ASSEMBLE & CATALOGUE BACKGROUND DATA

1. list of exist. members AMHC
2. " " " Bd " "
3. CONSTITUTION & BYLAWS
4. Agency POLICY STATEMENT Re: OPEN HOUSING
5. LIST OF BUSINESS/INDUSTRIES CONTRACTING FOR REAL ESTATE SERVICES.

SRC'S ROLE IN REVITALIZING THE METROPOLITAN ATLANTA HOUSING CONFERENCE

PHASE I

H&P

Selected City or Town

THE HOUSING PICTURE

Housing Market
Problems
Existing Groups
and Sources of Funds

Fair Housing	Codes/Real Estate Practice/Zoning	Low-Income Housing	Environment	Other
Local Policies	- Studies Available	- Quanity/Quality	- Community Design Groups	- Special Action Groups
Local Action	- Local Interest Groups	- Studies Available	- Problems	- Effectiveness of Special Programs (e.g. Model Cities)
Cognizance of Laws	- Exclusionary Zoning Practices	- Housing Sponsorship Groups		
Neighborhood Stabilization Groups		- Market Analysis (Existing)		
Transition - Neighborhoods in need of stabilization		- Type Housing		
		- Local Policies		
		- Tenant Organizations		

Identify local groups concerned with each problem area delineated above.

Assessment of these Actions & Data Recommn

Problem of Jurisdiction of Groups Interaction?

PHASE II

HOUSING AND PLANNING PROGRAM ACTION

Potential relation to S.E. How Pot Tech

1. Develop exhaustive list of funding sources for identified program activities.

2. Identify research needs - do research.

3. Organize neighborhood stabilization groups.

4. Find financial assistance for special programs.

Local Business Individual Sinking Fund Rotating Foundation

5. Develop environmental programs to get architects and planners to spend designated periods of time (6 months, 1 year; 18 months) developing innovative, practical solutions to environmental problems.

6. Prepare special studies in general areas of Housing and Planning:

   a. Effectiveness of Model Cities Programs in cities in in the region.

   b.

   c.

Priorities

1. Survey of Housing and Planning Problems in selected cities in the region. This would entail:

   a. Identifying as many groups as possible beforehand.

   b. Search for problems or suggestions from our Research department - Federal funds received; state funds - special incidents.

   c. Contact groups by letter/other.

   d. Finally spending time in the city for firsthand information and vists with local people.

      (1) Preparation of preliminary studies, for example:

         a. Initial housing element - comparable

PHASE II con't.

to federal requirements.

b. Economic Base Methodology - raise questions and suggest sources.

(2) Concurrent with number I would be meetings with local community groups requiring possibly the participation of other SRC staff members.

2. Study effectiveness of Model Cities in Southeastern cities.

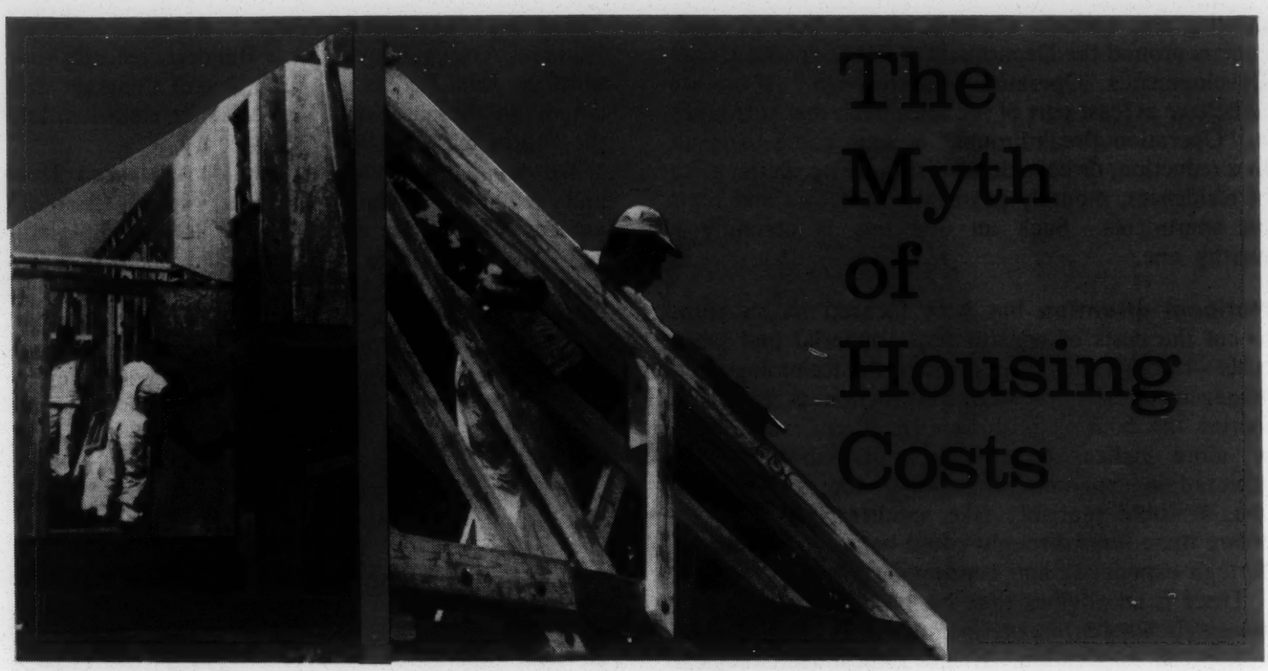
a. preliminary data survey underway.

b.

3. Development of Environmental Program.

4. Establishment of financial fund for Special Studies (especially for small towns and rural areas).

H & P



The Myth of Housing Costs

by Nathaniel Goldfinger

In the next 30 years America's population is expected to grow by at least 80 million—equal to adding the present populations of England and France to the United States. And the overwhelming majority of these people will live in urban areas. Yet millions of Americans today are ill-housed and major portions of central cities are dilapidated or decaying areas.

The Housing Act of 1949 established a national housing goal of "a decent home and a suitable environment for every American family." But the government did not place major emphasis on meeting the nation's housing needs and for many low- and moderate-income families that goal was not fulfilled.

Nineteen years later, Congress adopted the Housing and Urban Development Act of 1968, to speed up the building and rehabilitation of housing through federal assistance and a variety of incentives to business. The Act's 10-year goal of 26 million additional dwelling units, including at least 6 million subsidized units for low- and moderate-income families, can be met only if there is a national commitment backed by effective government policies to achieve it.

But today, more than a year after the 1968 Act was adopted, there is little evidence of such government policies and measures. The clear-cut evidence, in terms of actual construction, is to the contrary.

To achieve 26 million additional dwelling units in 10 years—an average yearly rate of 2.6 million—the number of housing starts in 1969, should be moving up sharply from the 1.5 million units in 1968 toward 2 million. But the government's restrictive monetary and fiscal policies and the highest interest rates in 100 years are causing a sharp decline of residential construction rather than a sharp increase.

Between the winter months of 1968-69 and the past few months, the yearly rate of housing starts has dropped from 1.7 million dwelling units to 1.4 million. Housing starts are headed down, not up. Unemployment among construction workers is increasing.

The soaring trend of interest rates is pricing an increasing percentage of families out of the market for single family homes and new apartments. Skyrocketing interest rates have increased costs to home builders, prices and monthly payments to home buyers and rents to those who seek new apartments.

The economics department of the National Association of Home Builders reports that monthly payments on principal and interest on a 25-year mortgage with 20 percent down payment rose from $139.80 for a $25,000 house purchased in June 1968 to $156.96 for a similar home bought in mid-August 1969, as the result of soaring money costs. This is a rise of $17.16, or over 12 percent to be paid each and every month for 25 years.

While the Secretary of the Department of Housing and Urban Development speaks in general terms of the need to increase home building, the Federal Reserve, the Treasury Department and the White House are embarked on a severely restrictive economic policy that tightens the money supply, shoots interest rates upward and hits residential construction. The Administration's talk and actions have been in opposite directions.

America is actually moving backward in home building, while there is considerable talk of moving forward.

Some of this talk about moving ahead, towards

NATHANIEL GOLDFINGER is director of the AFL-CIO Department of Research

Housing For the [illegible] America

A Fi[illegible]

Fed Housing Planning

MEMO FROM THE DESK OF: H & P — Admins.

Arthur Campbell

To: E.Via

Itinerary

17 Feb 72 -- Greenville/Greer, S.C.

10:00 a.m. - 11:30 -- John McCarroll
(803) 232-7359

afternoon:

Mr.Don Hinson - So. Carolina Appalachian Reg. Council of Govt.

Greenville Planning Comm.

evening:

meeting with Greer public officials

spring quarter

March 27 - June 29

Summer quarter

June 29 - Sept 24

HCP

M-E-M-O-R-A-N-D-U-M

To: Moreland Smith, Clarence Wright, and Arthur Campbell

From: Mozell Varner

Re: Resignation

Date: September 16, 1971

I have been offered a secretarial position with the Voter Education Project which I have accepted. I am hereby giving my two-week notice to the Council to that affect. I will begin working with the Voter Education Project on October 1, 1971.

Its been a healthy but tiring experience working with all of you (smile).

By the way, today was the anniversity of my third year with the SRC - how about that!

Emory:
Would strongly recommend one Secretary for Housing & Planning!
Moreland
would like to see you please

H&P

FEB 12 1971

JACKSON AREA COUNCIL ON HUMAN RELATIONS

A Chapter of the Mississippi Council on Human Relations

302 First Federal Building

Jackson, Mississippi 39201

Phone 948-0878

February 8, 1971

Mr. Paul Anthony
Executive Director
Southern Regional Council
5 Forsythe Street, N.W.
Atlanta, Georgia 30303

Dear Mr. Anthony,

The Jackson Area Council On Human Relations is concerned about the patterns of housing in Jackson. It appears to be moving in the direction of continued segregation, with areas moving from White to Black rather than towards integration. We therefore, voted at our last meeting to undertake a project of working towards a stabilization of our neighborhoods in terms of both integration and values.

To do this job most effectively, we would like to ask the Southern Regional Council for help in setting up our organizational structure and strategies. In particular we would like to ask that Mr. Art Campbell be made available to us. Mr. Campbell has already been in Jackson for preliminary discussions with Miss Joan Bowman and Mrs. Jane Schutt and has appeared before the full Council when we discussed and voted on this matter.

The Mississippi Council On Human Relations is giving full backing to this program and we hope to enlist the cooperation of other local organizations as well. We feel with the expertise your office can furnish, along with the efforts of our people, that we can help build a positive stable housing situation in Jackson.

Sincerely yours,

Dick Johnson

Dick Johnson
President

RDC Hearing & Planning TO: E.V. & NOV 70

PANOLA LAND BUYERS ASSOCIATION

The short synopsis below of what transpired in Panola over the past two years was provided by the Federation of Southern Cooperatives.

BACKGROUND:

In 1966, the tenants on Roger's Plantation in Sumter County, Alabama (1960 census, population 21,000; 81% Black) with the assistance of civil rights lawyers requested their just portion of the federal cotton price support, subsiding and deferred acreage payment from Mr. Rogers. Rogers was forced to pay his tenants but in retribution, he ceased farming operations and leased his land to the Hammermill Paper Company.

Some of the tenants moved in with local relatives and friends; some seven families were moved by the NAACP to Tuskegee Institute, Alabama and a few of the families moved on to Chicago. Some are still living in their old houses on Roger's land but they have pine trees planted by Hammermill up to their doorsteps.

There is not even enough land available for growing a home garden, the source of the mainstays of southern rural diet: greens and blackeyed peas. These folks also pay two sets of rent, one to Rogers for the house, and another to Hammermill for land.

Various community development organizations, including the Federation of Southern Cooperatives helped to organize the families into the Panola Land Buyers Association (a non-profit entity) and began looking for some land the group could buy and resettle.

The Panola Land Buyers Association has recently purchased 1164 acres of farm and pastureland in Sumter County, Alabama for $186,000.00. With the acquisition of this acreage, several agricultural enterprises are being initiated. A year-round crop rotation program is being developed including vegetables and specialty crops for the commercial market, grasslands for grain and hay and pasture.

The Housing and Planning Program's Role in Developing Housing and Long-Range Plans for the Panola Land Buyers Association

Arthur C. Campbell, Associate Director of the Housing and Planning Program (HPP) was contacted during October, 1970, by Merith Richardson of the Federation of Southern Cooperatives, about the possibility of Housing and Planning assisting the Panola Land Buyers Association to develop a housing project and to develop long-range comprehensive plans for 1164 acres of land in Sumter County, Alabama. Campbell expressed a positive interest in the project. In this regard, he later met with Richardson and Wendell Parish (also of the Federation) to further discuss how HPP ~~'s~~ might be of assistance.

Field Trip:

On October 22nd, Campbell visited Panola. The 1164 acres are in three separate tracts, of 200+, 300+ and 500+ acres. ~~and he got to see some of all three tracts~~. Based on ~~this~~ a short windshield survey of the property, ~~it seems that~~ the 200+ acre tract ~~is~~ seems more suitable for housing, mainly because of its gently rolling contour and its access to county roads on two sides. One of these, a paved road, provides direct access to Gainsville -- a small village situated approximately three miles due north of the present site. The 300+ acre

tract borders the Tombigbee river for approximately 1/2 mile and generally seems suitable for industrial development and some row-crop farming. Most of the third tract, 500+ acres is ideal pasture land (with, apparently, an abundant deer population) with some land suitable for row-crop farming.

During the visit, Campbell met several of the members of the Panola Land Buyers Association who indicated to him that their primary concern was "How soon can some houses be built?"

Alternative Courses of Action for Assisting Panola

An initial assessment of Panola suggest two broad approches to its problems:

1. The organization of a development team to make the necessary preliminary studies and to file applications for selected federal programs that would enable the Association to get at least ___ units of housing built at the earliest possible time.

2. The initiation of long-term planning aimed at providing a Master Plan for developing the 1164 acres. Such a plan should sufficiently cover the following areas:

   (a) General Physical development

      1. Comprehensive Land Use Plan

      2. Economic Base Analysis

   (b) Development Control and Incorporation

   (c) Financing

   (d) Goals and Objectives

Within the two broad approaches outlined above there are specific alternatives for action that seem feasible at the moment.

Approach No. I

1. Contact other housing orgainizations in an effort to find seed money and/or technical assistance for Panola to hire professional consultants. Some of the groups we might negotiate with are:

   a. National Corporation for Housing Partnerships/ Washington, D. C.

   b. Non-Profit Housing Center/Washington, D. C.

   c. Rural Housing Alliance/Washington, D. C.

2. Housing and Planning could use its consultants to obtain architectural plans and other preliminary items for PLBA. In this capacity, Housing and Planning would assume the responsibility of "Packaging." i.e. filing applications with the appropriate federal agencies and arranging meetings with builders, mortgagers, and local FHA officials.

3. Housing and Planning could develop a Section 106(b) application, on behalf of Panola, to obtain financial assistance to pay for preconstruction costs, "before the proceeds of the federally insured mortgage loan become available."

4. Seek established consultants who would be willing to provide preconstruction services based on their analysis of PLBA's eligibility for funding, and contingent on being reimbursed after the federally insured mortgage loan become available.

Approach No. II

Only one idea for effectuating this approach has been given some thought.

It is felt that Approach No. II lends itself to student participation. For one thing, time is not as crucial as in Approach No. I, and two, there is precedent for student involvement in community development projects. Perhaps most important is the fact that student labor is less expensive than professional labor -- automatically making it attractive to PLBA with its meager finances. Therefore, student participation is central to the initial proposal for providing long-range planning for Panola.

The following elements comprise the skeletal proposal:

A. Recruit teams of students from various schools in Alabama to prepare specific parts of the comprehensive plan. A faculty member would be engaged in each case to supervise the project.

B. Recruit a panel of architects, planners, economists, builders and other necessary professionals to review the students' work on a specified time basis, HPP would work out the logistics of this arrangement.

C. Hold seminars on housing and rural planning at the participating schools. Lecturers for the seminars would be drawn from the panel of professionals.

D. Housing and Planning would meet expenses associated with the student project. These would include: Production expenses (e.g. maps, reproduction, etc.), travel, cost of convening seminars and telephone and postage involved in student communication with local people. [illegible] reimbursed after the federally insured mortgage loan become available.

Charles Hieght, Head of the Department of Architecture, [illegible] Tuskegee Institute, advises that the major considerations in a project of this type are: (1) student expertise; (2) constraint

of time; (3) available faculty members and (4) the logistics involved in having outside professionals critique student work. He underscores time as perhaps the most crucial factor. A "tricky" factor not to be overlooked is how to combine the project with course work.

The approaches and alternatives above are listed to suggest how we can most effectively assist Panola and to indicate how our involvement might benefit HPR.

We are now looking into items on our present agenda.

Present Agenda:

Each activity is aimed at effecuating, either, the immediate program to build housing or the long range planning program.

1. Check out the availability of seed money for Panola from the sources suggested above.

2. Take a close look at University of North Carolina model where students prepared some preliminary studies for Soul City.

3. Check into the set-up for developing the new town of Greenevers in North Carolina.

4. Check out student interest in the described project and their availability from other Alabama universities.

5. Now reviewing selected federal programs that seem available to meet Panola's needs. e. g. 106(b) technial assistance and FmHA's site development program.

6. Met with Bruce Andrews of the Charter Corporation in Birmingham, Alabama to review the housing units

that they manufacture. Have in hand, basic information on this outfit.

7. Will meet with the Board of Directors of the Panola Land Buyers Association on Monday, November 9, 1970.

MEMO FROM THE DESK OF: Housing & Plan.

Emory F. Via

EV-MS- Jan 1978

Planning for non-planners in smaller local govts. who do in fact perform some planning functions — where unlikely that prof. planning could be afforded — through Inst of govt's.

HKP

M E M O R A N D U M

To: Emory Via

From: Arthur Campbell

Re: Panola

Date: September 30, 1971

From June 14 to August 31, 1971 two graduate students from Georgia Tech interning with the Housing and Planning Program did basic research on the physical and socio-economic characteristics of three separate tracts of land (totaling 1164 acres) owned by the Panola Land Buyers Association. This research effort produced a 187-page background and evaluation document and three schematic site plans for a housing development on 273 acres.

On September 23, the written report and site plans were officially presented to the membership of the Panola Land Buyers Association, at a special meeting arranged by the Housing and Planning Program. Meeting with the members were Roger Wilcox, President of Techni Co-op, Inc. (A non-profit subsidary of the Foundation for Cooperative Housing), William Edwards of the Valley Forge Corporation, John Hill and Al Broglin of Commonwealth Systems, Arthur Campbell from SRC and representatives of the Federation of Southern Cooperatives.

All of the above named individuals were invited because of their capability to provide specific technical expertise needed to develop a rural cooperative housing program (the details of each consultant's involvement are available).

Status of the Housing Program

The Federation of Southern Cooperatives has a commitment from a couple of sources for a $100,000-plus short term construction loan to build from 5 to 10 houses. Consideration for this type of immediate building program was incorporated into HPP's preliminary site plans. Under this arrangement, construction on as many as 10 houses could conceivably begin within 30 days.

Long range planning

Training?

HPP is exploring the possibility of using some kind of modular housing in this "10-house" stage. The objective is to negotiate for reduction in cost per unit on the basis of promotional benefits accruing to the producer.

Meanwhile, specific actions are underway to develop the larger long-range housing cooperative community. On the 274-acre proposed site, a topographic survey is being prepared at two feet interval contours. The Commonwealth System is preparing rough cost estimates for water and sewage facilities. Techni-Co-op's architect is revising the preliminary site plans to reflect the views of the PLBA members expressed at the September 23 meeting. Also, Wilcox has outlined the steps necessary to undertake a suitable program.

The Intern Program

The second phase of the Panola/Georgia Tech intern program involves the production of 1) a technical report, 2) a public relations brochure, and 3) a visual presentation.

The basic objectives of the planning exercises of phase II are threefold:

(1) To assimilate and synthesize the existing needs,

(2) To analyze these needs in light of constraints and develop practical next steps, and

(3) To project long-range needs, resource potential into a horizon plan.

At least three, and possibly four, students will be involved in the project.

A detailed cost breakdown is not possible at this point, however the estimated cost is placed at #3,000-plus based on figures from a similar project.

Memorandum - 3.
September 30, 1971

Budget Items:

1. One group trip to the site $150.00
2. Aerial photographs $50.00
3. Technical report production cost 700
4. PR brochure production cost 500-1000
5. Visual presentation production cost
*(6). Co-Sponsorship with Georgia Tech of a seminar on the development of planned communities in the rural south.)

*(6) Under exploration/consideration

Current Projects:
Panola H&P PA-
1) Program re Cooperation, interest many
Michigan Team for overlap
2) Cut in only ~~by~~ place
3)

PANOLA INTERN PROGRAM

A Housing and Planning intern program in Panola is aimed at developing long-range physical development plans.

Objectives

To document and analyze all the physical and social aspects of 1164 acres of land owned by the Panola Land Buyers Association in Sumter County, Alabama for the purpose of developing comprehensive land use plans and an "economic development model."

Proposed Program

Two Georgia Tech graduate students would spend the summer gathering data in the ~~main~~ following categories:

1. People - family size, economic condition, housing needs, general demographic profile.

Earlier Study.

2. Jobs - where availability, type, variety.

3. Physical - site analysis, ecological, ground water sources, soil capability, soil type, flood controls, visual survey -- sketches, photographs.

4. Other areas of investigation:

   A. Comprehensive survey of all plans for the immediate area. For example: corp of engineers, state recreation, health department, regional council of government, etc.

Soil Survey

from Feel.

B. Major economic developments contemplated for ~~the~~ area~~s~~.

C. Census data on the county (design area)

D. Transportation facilities

Goals of Program

1. A compilation of background data on Panola to be used as a basis for developing a comprehensive land use plan and an "economic model." From Dunlap

A. ~~It is contemplated that~~ This Background Study will be used by students in the joint graduate programs of Architecture and City Planning at Georgia Tech to develop more detailed and technical documents. For example: land use plans, site design, and a program of development that will include an "economic model."

2. Two types of documents are contemplated:

?

A. A slick public relations brochure that will be used for promotional purposes.

B. A series of technical studies to help guide development and programming.

Budget Estimates

The following estimates are based on two interns working a period of 10 - 12 weeks during the summer of 1971.

1. Travel

A. 8 man-trips to Panola via Tuscaloosa, Alabama at $69.00 per trip -- $552.00

B. 1-man-trip to Montgomery, Alabama -- $60.00

2. Hotel and Meals

Is 12 days enough

$200.00 - based on 24 man-days in the field (no hotel cost at Panola

3. Telephone and Supplies

$100.00

4. Salaries

$3, 250.00 -- 650.00/month/man for 10 weeks.

Total -- $4,162.00

Note: Allowance for additional part-time work on the project may be proposed at end of the summer program. However, it is contemplated that our financial commitment would be limited to expenses involved in executing the proposed documents.

Appalachian — April 1 — Hosp in Columbus. 054
in white ghetto

Founded a hospital

Contacting low income patients on hosp. floor

Hiring: Minister, 2 community workers —

Center for So. Negroes in Chicago still operating

Cales —

File H&P

J.W. ~~return to~~ EV

"A Statement of Housing and Planning's Activities at January 16th Board Meeting of the Panola Land Buyers Association"

We arranged for the Foundation of Cooperative Housing (e.g. FCH Services, Inc.) and Modular Services (a housing manufacturer) to meet with the Board of Directors of the Panola Land Buyers Association on Saturday, January 16th.

Representatives from both organizations explained to the Board their respective companies' methods of operation and services offered. There were some discussion about what procedure PLBA might follow in developing a co-op project. One of the key questions is whether or not land can be released from the mortgage for the purpose of selling it to a development corporation (of PLBA) to build houses. (This question was originally raised when the Federation of Southern Cooperatives proposed to buy 300+ acres of the land.) The Board's attorney believes, but must review the matter in detail, that PLBA can sell a portion of the land without impairing the mortgagor's security.

FCH Services Inc.'s role would be to organize and develop a co-op housing project for Panola. FCH's scope of services

is spelled out in their "Agreement for Technical and Advisory Services." They are proceeding now to determine the feasibility of the project. Modular Sciences, of course, is interested in supplying the housing units.

Usually when FCH develops a co-op project, a builder comes to it with a proposal and would have collected much of the data FCH needs to file preliminary application. In this case, we solicited FCH's assistance and there is apparently inadequate energies in the PLBA to perform the task of collecting data. There is a need for a liaison person between FHC and Panola to coordinate the project.

Such a person might perform the following activities:

1. Collect information on the following subjects:

   a. Alabama Welfare Allotments for housing

   b. Survey surrounding areas to determine income level, family size, housing conditions, housing needs, population, etc.

   c. Help develop a training program for employment in construction of proposed housing and recruit participants.

   d. Help recruit members for the co-op

   e. Check into local zoning regulations

   f. Locate topographic maps

   g. Determine what are the local real estate taxes

2. Use experience of #1 above to help PLBA develop a comprehensive plan.

We need to arrange to gather some of the information in order that FCH might proceed with its feasibility study regardless of the inavailability of a full time person to perform all of the activities.

N. Ay 28, 1971

H&P

PANOLA INTERN PROGRAM

ACTIVITIES
PROBABLE [redacted] AND STAGING

time	
4 days June 14-17	I. Briefing and Project Review A. Orientation to So. Regional Council -- staff and facilities B. Explanation of Federation of So. Co-op's. role. (and its existing programs) C. Introductory Field Trip
2 days	II. Draft Letters of Inquiry to Selected Agencies Requesting Background Data.
5-8 MAN-DAYS	III. Prepare "Schematic" Master Plan for 274 acre tract, locating 30 acres for housing (i.e. incorporating site plan already prepared).
1 day	IV. Review Outline of Activities & Analyze Problem. A. Define Study Area B. Identify Probable Data Needs/Sources
	V. Overview of Sumter Co., Panola Study Area and Environs. A. Gathered Selected Data on:

1. PHYSICAL CHARACTERISTICS of SITE
   (a) soil type
   (b) water type & supply
   (c) ground water sources
   (d) soil capability
   (e) visual survey (sketches, photographs)

~~2. Socio-Economic Data~~

2. Housing Conditions / Needs / Supply
   (a) total no. of units in study area / Co.
   (b) No. dilapidated / sound
   (c) owner occupied / renter occupied
   (d)

3. Population CHARACTERISTICS / DISTRIBUTION
   (a) total pop.
   (b) No. of families / size
   (c) Family income
   (d) age structure
   (e) educational levels

4. ECONOMIC BASE
   (a) Major Industries in AREA
   (b) Volume of manufacturing & non-manufacturing business.
   (c) jobs : type / availability / skills necessary (labor market)

(d) Shipping facilities
(e) lending institutions, technical or trade schools, tr. Colleges.

5. Tenn-Tombigbee Development in Gainesville
   (a) plans
   (b) time tables for development
   (c) Annual appropriations/tr. flow of capital

6. Transportation Network
   (a) Completion of I-59/exit proximity to sites
   (b) auto circulation, bus, rail, air (private & commercial
   (c) Characteristics of Tombigbee after dam construction e.g. depth; projected traffic/type.

7. Land Ownership Between Panola's Land
   (a) identify owners/number
   (b) size tracts
   (c) establish fair market value/project cost to start of proposed Land Acquisition program.

8. Community Facilities
   (a) Schools
   (b) Day-Care
   (c) Recreation

9. INCORPORATION INTO MUNICIPALITY
   (a) procedures
   (b) requirements
   (c) ~~project~~ establish time table for PLBA's incorporation (e.g. should it incorporate now to build & control public housing?)

B. Analyze Selected Data
C. Complete Infomation Gathering
D. Summarize + write-up infomation
E. Design Graphic Display of Selected Data useful in Programing

---

VI. EXPLORE PROGRAMING DIRECTIONS
A. Implications of Tenn-Tom developments for PLBA programing.
B. POSSIBILITIES OF PLBA Recreational Developments
C. POSSIBILITIES of PROVIDING HOUSING for nearby employment.

VII. DETERMINATION of WHAT FEDERAL programs CAN benefit PANOLA -- especially "New Communities"

A. Incorporate findings (of item VII) into basic financial strategy for implementing general development plan.

B.

VIII. Develop BASIC PLANNING STUDIES *

A. Land Use Plan

B. General Develop Plan

C. Site Plan staging housing development

D. JOB DEVELOPMENT MODEL

*

* in early September, more determination of resources available to finance production of these studies (excluding consultant fees) e.g. cost of printing, reproduction, ——, ——,

H&P

Roger Wilcox & Mod Sci } Site plan for 30 acres.

Side

Tech guys on June 14th

F

STEPS TO PRODUCE A COMPLETE WORKING PLAN

+0

12 e

1. DATA GATHERING (LOCAL CODES ETC.)
2. BASE MAP INFORMATION (SURVEYS ETC.)
3. PRELIMINARY SITE PLAN
4. PRELIMINARY ENGINEERING
5. FINAL SITE PLAN (LAYOUT & GRADING)
6. FINAL ENGINEERING (STORM, ETC)
7. STAKING PLAN
8. SITE DETAILS (WALKS, STEPS, WALLS, ETC.)
9. LANDSCAPE PLAN
10. UTILITY PLAN (SEWER, WATER, GAS, ETC)

Robert & Co. Atlanta. { 60 SINGLE FAMILY UNITS ON THIRTY-ACRES

$9600.- MAX

FCH said it would take $80/mo (w Mod Sci) for 3-4 BR [only 5 family could get loans as individuals]

Perhaps can't meet Fm + FHA { Modular Services with Fm HA says can do for $40/mo but with set supplements - (EV are they available to Coops. 236 (FHA)

Feel. doesn't want to make committment to Mod. Sci. esp. if Mod. Sci. controls land "until" sold back to Co-op.

If FmHA approves, then could borrow to cover fees for part of planning

Valley Forge (Modular Sector)

Kind of planning

Site plan — Topo —

L 274 b

30 acres — 1500

Fed &/or AT-SC

Applicable Fed Program

Pvt Assistance —

How Build? Sweat — Developer

E.V. file RDC Housing & Planning Projects

EQUAL OPPORTUNITY

A BIBLIOGRAPHY OF RESEARCH ON EQUAL OPPORTUNITY IN HOUSING COMPILED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT LIBRARY

Housing & Plaj — Low Cost Housing

U. S. Department of Housing and Urban Development /Washington, D. C. 20410

an analysis of twelve experimental housing projects

Labor Program
Southern Regional Council, Inc.
5 Forsyth Street, N. W.
Atlanta, Georgia 30303

12

August 25, 1970

Mr. Leslie Dunbar
Director of Field Foundation
100 East 85 Street
New York, New York 10028

Dear Les:

I have just recently seen the copy sent to Paul of your letter to Carl Holman regarding southern economic development.

I wonder if your proposed meeting at Penn has been held? Simply let me reassure you that we have a continuing interest in economic development and we are also still interested in how environmental problems relate to economic development.

We would like to be kept informed of such meetings as the one proposed to Holman.

Best personal wishes.

Sincerely,

Emory F. Via, Director
Resources Development Center

EFV/gms

cc: Paul Anthony

THE FIELD FOUNDATION
100 EAST 85TH STREET • NEW YORK, N.Y. 10028
212/535-9915

April 29, 1971

Mr. Emory Via
Southern Regional Council
5 Forsyth St., N.W.
Atlanta, Ga.

Dear Emory:

Sorry I missed you when you were in town. Let me know the next time. Give my best to Margarite.

Sincerely,

Leslie Dunbar

/la

May 26, 1971

Mr. George Doft
THE FIELD FOUNDATION
100 East 85 Street
New York, New York 10028

Dear George:

Thought you might be interested in this report by Butch Wright our Community Organization Project director ~~and~~ on the Hogansville Improvement Association.

We have no funds to give directly to their efforts, but have urged them to submit a proposal for support from the Hunger Fund for a food program.

We will certainly continue to keep our eyes open for possible other avenues of support.

Sincerely,

Emory F. Via, Director
Resources Development Center

EFV/gms
Encl.

RAYMOND M. WHEELER, PRESIDENT
JOSEPHINE WILKINS, VICE-PRESIDENT
C. G. GOMILLION, VICE-PRESIDENT
LUCIUS H. PITTS, VICE-PRESIDENT
FRANK SMITH, VICE-PRESIDENT
VIVIAN W. HENDERSON, CHAIRMAN, EXECUTIVE COMMITTEE
JOSEPH HAAS, COUNSEL
PAUL ANTHONY, EXECUTIVE DIRECTOR

Southern Regional Council, Inc.
52 FAIRLIE STREET, N. W. ATLANTA, GEORGIA 30303
522-8764

November 2, 1971

Mr. Leslie W. Dunbar, Executive Director
THE FIELD FOUNDATION
100 East 85th Street
New York, New York 10028

Dear Les:

Enclosed is a proposal to The Field Foundation for support of the Council's Housing and Planning Division for 1972. We very much hope that it will be acted on favorably by the Foundation.

The proposal is longer than I would normally like, but you will note that it includes reporting on this year's activities. It seemed to me that The Foundation needed a fuller report of a program it has so generously supported, and that the report itself helps demonstrate the Council's capacity for performing in this important area of social concern.

Please call on me if you have any questions regarding this request. I hope that there will be an opportunity for you to talk with me and Art Campbell about the proposal.

Sincerely,

Emory F. Via, Director
Resources Development Center

EFV/gms
Attachments

A Request for Support of the Housing and Planning Division of the Southern Regional Council, Inc.

The Housing and Planning Division works toward the goals of increasing the supply of housing for low-income groups and to end discrimination in housing. Through both of these efforts we work for a physical and social environment conducive to an open and humane society. We are especially mindful of the need for housing in rural and small town areas and aware of a significant potential for constructive activities in those areas.

Our activities have fallen into four broad categories: (1) Community planning activities, (2) anti-discrimination projects, (3) housing and planning advocacy, and (4) information sharing.

These four areas provide opportunities for SRC to express its standards and values expertly in the fields of housing and planning. Also direct assistance can be given to selected projects to demonstrate methods, planning, and the harnessing of resources for producing better environments for living.

I. Community Planning Activities--We will offer planning assistance to low-income community groups that are interested in developing housing projects in small towns and rural areas. Primarily this assistance includes:

1. Data gathering to define the group's housing problems.
2. Pulling together the necessary resources for developing solutions to the problems.
3. Assessing government progrmas to determine their adaptability to the community's housing needs.
4. Tapping university resources--especially using graduate student skills to provide preliminary planning.

Our work with the Panola Land Buyers Association during the past year illustrates how SRC can provide the kinds of assistance outlined above.

Our major effort in PLBA's behalf is an intern program utilizing Georgia Tech graduate students in planning. During the summer these interns developed a comprehensive background report and preliminary site plans for 1164 acres of land owned by the PLBA.

Their research while full-time Housing and Planning interns is the basis for a class project in Urban Design (at Georgia Tech) that is geared to produce: (a) a master plan, (b) a public relations brochure which depicts the PLBA story to potential investors, and (c) a visual presentation to be used for promotional purposes.

Those organizations/corporations brought in to assist the PLBA include: The Foundation for Cooperative Housing, Inc., and its subsidiary Techni Coop., Inc., Common Wealth Systems, Inc.,

(for its experitse in developing rural water and sewage systems) and Valley Forge Corporation (a prospective builder).

Based on the Panola experience we would like to expand in a more systematic way this type of assistance to similar groups elsewhere in the South. We have undertaken the following exploratory steps toward this end:

1. Identified counties in seven Southern states that have no housing authorities (or authorities that are inactive).
2. Confronted several housing consultants about their willingness to develop, on a contingency basis, applications for government housing assistance provided SRC would gather sufficient preliminary data to determine a proposed project's feasibility. The response here is encouraging.

The purpose of the proposed expansion of the Housing and Planning Division's community planning assistance is four-fold: (1) to focus our limited resources on selected geographic areas with great housing shortages; (2) to identify community leaders, i.e., prospective sponsors of low-income housing; (3) to make available information on federal assistance and other resources; and (4) to cause housing to be developed where it is most needed.

The major elements of the program would include:

1. Field surveys of the selected counties (identifying leaders, existing programs, problems, plans).
2. Preliminary data gathering, problem definition and

analysis for each target area.

3. Workshops involving technicians and community residents to develop strategies for dealing with the local community's housing problem.

4. On-going consultations/assistance in implementing housing strategies.

II. Anti-Discrimination Projects--The Council recognizes the need for more programs in the region which aim at ending housing discrimination. We are persuaded that such efforts must be more sophisticated in recognizing the variety of decisions and practices which lead to housing discrimination. Although local efforts may at a given time emphasize one or two program area, we are committed to assisting them in understanding the depth of the problem they face.

We have during the past year engaged in the following activities:

1. In conjunction with the SRC Research Department we published an in-depth report on housing discrimination.

2. Helped initiate, plan, and organize a workshop around housing in Jackson, Mississippi.

3. In Atlanta, Georgia we organized and coordinated a project designed to test and document discrimination in housing.

4. We developed a proposal for establishing a staffed

metropolitan housing opportunities organization in the Atlanta area.

5. We have identified the fair housing groups operating in the South. To some of these we have provided information and technical assistance.

It is our desire to continue to offer assistance to local groups, to publish materials which inform and expose, and to initiate appropriate specific projects.

One such project has been suggested from our own experience and in consultation with other experts in various aspects of housing discrimination. It is that we work to insure off-base housing opportunities for minority military personnel. This project is suggested not just because of demonstrated need but because it can provide substantial leverage in altering community housing patterns. The following elements argue for such an undertaking:

A. A substantial portion of actual housing complaints to the regional office of H.U.D. come from servicemen.

B. There is an identifiable clientele group.

C. Adequate counseling and legal assistance are not now available.

D. In towns and smaller cities even one successful complaint can have substantial impact.

E. The importance of military bases to local communities provides special leverage.

F. The existence of administrative regulations as well as federal law provide potential extra pressure.

A second project which we have been urged to undertake is the making of an inventory of lawyers throughout the region who are able and willing to take housing discrimination cases. Such a list would not only be of use to other agencies, and insure a broader protection of individual rights, but can serve informational purposes for the attorneys themselves.

III. Housing and Planning Advocacy--Our role in developing advocacy positions has been somewhat limited, though important, in the past. Council publications do state positions on important issues as has been the case in our treatment of the Farmer's Home Administration role in the housing field and our more general critique of national practices affecting low-income housing and discrimination in housing.

The Housing and Planning Division advocated a broader approach to discrimination in housing to Georgia Governor Jimmy Carter and members of a special Carter Committee on real estate practices (whose focus was defined as anti-blockbusting). Aside from the statement to the governor and the committee, staff met on several occastions with the committee's chairman.

We propose enlarging our advocacy role based either upon our special research or other reliable information. There

is a growing need for an informed Southern voice, based on reason and experience, to state positions in the housing and planning area.

We plan to hold a regional conference which would bring together city and regional planners with open housing advocates. A major purpose of the meeting would be to get those involved in planning to better understand the need and desirability for dispersed housing to promote a balanced distribution of low and moderate income housing. It would be our aim to bring about an awareness of the role of planning instrumentalities in this process and to contribute to public support for such moves.

IV. Information Sharing--An important part of all Council activities is the sharing of information. This is the case whether the information is aimed at the broadest possible audience or at select publics. The Housing and Planning Division has supplied information for a television documentary, interviews for television newscasts, news releases, a study of the Farmer's Home Administration, a study of housing discrimination and the federal role, provided critiques of statements or positions of other agencies, answered routine information requests, developed a report on "new towns", and produced a limited specialized report on progress to date in the Panola Project.

We have, of course, worked with a number of smaller groups and with interested academics. In most of these activities it

is difficult to accurately assess our contribution. We know that a more ordered point of view is at times presented, that certain values get clear expression, and that at times the right information gets to the right person so that the prospect of constructive change is enhanced.

The Housing and Planning Division plans special reports for the coming year. Two areas of interest for such publications are: (1) The effect of realtor practices on discrimination in housing, and (2) the impact of public policies on housing discrimination with special attention paid to exclusionary zoning practices.

The budget that follows would allow us to substantially fulfill the program outlined here and we earnestly request its consideration by the Foundation.

PROPOSED BUDGET FOR 1972

HOUSING AND PLANNING DIVISION

Southern Regional Council, Inc.

Staff and fringes	$21,000
Consultants and Technical Assistance	3,000
Special Projects and Reports	3,500
Travel and Communication	2,000
SRC overhead at 20%	5,900
	$35,400

Copy for J.B. files

THE FIELD FOUNDATION
100 EAST 85TH STREET • NEW YORK, N.Y. 10028
212/535-9915

NOV 22 1971

November 18, 1971

Mr. Emory F. Via, Director
Resources Development Center
Southern REgional Council, Inc.
52 Fairlie Street, N.W.
Atlanta, Georgia 30303

Dear Emory:

This is in reference to your letter and proposal of November 2, regarding renewal of the Housing and Planning Project.

Foundations are restless souls. Don't you think you can find another to pick up support of this? I believe and hope very much you can.

Sincerely yours,

Leslie

Leslie Dunbar

LD/kjs

RAYMOND M. WHEELER, PRESIDENT
JOSEPHINE WILKINS, VICE-PRESIDENT
C. G. GOMILLION, VICE-PRESIDENT
LUCIUS H. PITTS, VICE-PRESIDENT
FRANK SMITH, VICE-PRESIDENT
VIVIAN W. HENDERSON, CHAIRMAN, EXECUTIVE COMMITTEE
JOSEPH HAAS, COUNSEL
PAUL ANTHONY, EXECUTIVE DIRECTOR

Southern Regional Council, Inc.
52 FAIRLIE STREET, N. W. ATLANTA, GEORGIA 30303
522-8764

November 29, 1971

Mr. Leslie W. Dunbar,
Executive Director
The Field Foundation
100 East 85th Street
New York, New York 10028

Dear Les:

We are disappointed, of course, not to have further support from the Foundation for our Housing and Planning Division. Field has made it possible for us to find our way to new ground and develop a competent staff person in this area. It is our hope and plan to see that this program is continued; we feel it is most worthy of support.

Please know how much we appreciate your support of this effort in the past. The Foundation's readiness to continue to fund Council activities is reassuring to us all. I have written separately about your support of the School Desegregation Project.

Sincerely,

Emory

Emory F. Via, Director
Resources Development Center

EFV/gms

AT & MS — Wall Street Journal April 6, 1970

Modular Housing Plants Set by Westinghouse, LTV Aerospace Units

#1

Facilities to Be in Fredericksburg And Chatham, Va.; Each Is Due To Begin Operation Later in '70

Urban Planning

A WALL STREET JOURNAL *News Roundup*

Two companies best known for their space-age technology said they are planning factories in Virginia to construct housing modules, building blocks that can be stacked together on a site to make a private home or an apartment complex.

Westinghouse Electric Corp.'s Urban Systems Development Corp. subsidiary said it will build a 68,000-square-foot plant near Fredericksburg, Va., to mass produce steel and wood mudular units for townhouses and garden apartments.

LTV Aerospace Corp. said its Service Technology Corp. subsidiary will build low-cost modular housing units for apartment houses at a factory planned for Chatham, Va. LTV Aerospace is a subsidiary of Ling-Temco-Vought Inc., Dallas.

Westinghouse said its plant, expected to be operation by year-end, will assemble modules for use within 200 miles of Fredericksburg. This would include Washington and Baltimore.

Output in 1971, Westinghouse said, will be about 700 dwelling units. This will grow to 1,200 in 1972 and 1,400, the maximum planned, by 1973, the electrical producer said. The initial output will be taken exclusively by the Urban Systems subsidiary, but Westinghouse said it hopes eventually to market the modules to other builders as well.

Westinghouse set up Urban Systems in 1968 to build low and moderate income housing, under Federally subsidized programs. The subsidiary has so far built about 700 homes in the Washington, Atlanta and Wilmington areas. The parent concern said about 2,100 units are planned or under construction in seven states.

The modular assembly plant is Westinghouse's first. A spokesman indicated, though, that several others are planned throughout the country. "Depending on the success and volume of this plant, there would hopefully be about six others in the 1970s," he said.

LTV Aerospace said its Service Technology unit, also a newcomer to the field, has contracted to build 12,000 low-cost modular units for Garme Realty Inc. over a 10-year period. The LTV Aerospace subsidiary will operate the Chatham plant. Construction of the factory will begin this month and the first output is expected in September.

Garme will own the housing and will transport and install the completed modules at building sites in North Carolina, Georgia, Florida and Washington, D.C., LTV Aerospace said.

The first units, LTV Aerospace added, will contain about 1,000 square feet and be designed for two, three and four bedroom apartments in multi-family houses.

Urban Planning & Housing

APR 15 1970

JOHN H. WHEELER, PRESIDENT
JOSEPHINE WILKINS, VICE-PRESIDENT
PAUL R. CHRISTOPHER, VICE-PRESIDENT
CHARLES G. GUILLION, VICE-PRESIDENT
LUCIUS H. PITTS, VICE-PRESIDENT
RAYMOND M. WHEELER, CHAIRMAN, EXECUTIVE COMMITTEE
JOSEPH HAAS, COUNSEL
PAUL ANTHONY, EXECUTIVE DIRECTOR

Southern Regional Council, Inc.
5 FORSYTH STREET, N. W. ATLANTA, GEORGIA 30303
522-8764

Memorandum April 15, 1970

To: Paul Anthony

From: Arthur C. Campbell ACC

Re: Urban Design Conference

This year the National Urban Coalition's Urban Design Conference is focusing on mass industrialization in housing -- a subject that is of paramount interest to our project. The conference appears to be an opportunity to get some first-hand insights into the whole field of mass produced housing. Accordingly, both Moreland and I think that I should attend.

There is no conference registration fee mentioned in the announcement. The major expenses are the cost of a round-trip air travel ticket between Atlanta and Boston and room and board for three days. In view of the distance involved, I think you should pass judgement on the desirability of my making the trip vis-a-vis our program goals.

The program is attached in case you wish to review it.

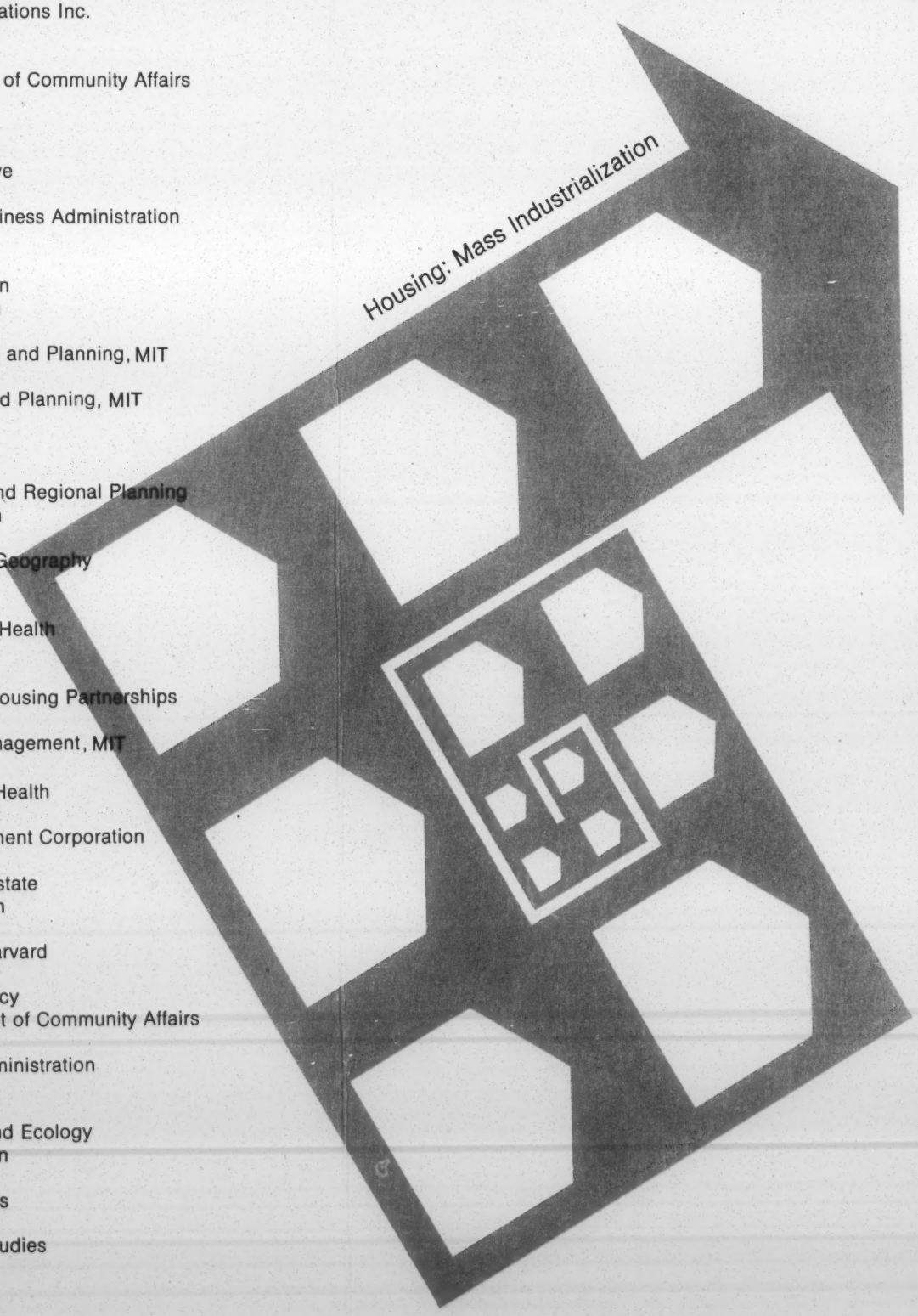
* * *

4/20/70

Art, I think you should plan to attend this. Please see if you can send copies of papers (even before they send them out to participants, if they do). I have attached a request notice form which came in a mailing to me which indicates a $100 registration fee. Jay

Panelists and Witnesses

Denis Blackett
President of Housing Innovations Inc.
Leon Charkoudian
Commissioner
Massachusetts Department of Community Affairs
David Crane
David Crane Associates
Alex Cvijanovic
The Architects Collaborative
Phillip David
Associate Professor of Business Administration
Harvard Business School
William Doebele
Professor of Implementation
Graduate School of Design
Herbert Gans
Professor of Urban Studies and Planning, MIT
Alexander Ganz
Lecturer, Urban Studies and Planning, MIT
Roland Guy
Battelle Memorial Institute
Chester Hartman
Assistant Professor, City and Regional Planning
Graduate School of Design
Edward Higbee
Chairman, Department of Geography
University of Rhode Island
Donald Kennedy
Harvard School of Public Health
Bruce Lane
General Counsel
National Corporation for Housing Partnerships
D. Quinn Mills
Assistant Professor of Management, MIT
Raymond Neutra, M.D.
Harvard School of Public Health
David Pellish
New York Urban Development Corporation
William Poorvu
Visiting Lecturer in Real Estate
Graduate School of Design
Lee Rainwater
Professor of Sociology, Harvard
William Richardson
Director, Relocation Agency
Massachusetts Department of Community Affairs
Richard Rosenbloom
Professor of Business Administration
Harvard Business School
Fred Smith
Professor of Resources and Ecology
Graduate School of Design
Donald Stull
Stull Associates, Architects
Robert Wood
Joint Center for Urban Studies
MIT-Harvard
Shadrach Woods
Professor of Architecture
Graduate School of Design



The National Urban Coalition
Development Forum 8
13th Annual Urban Design Conference
Graduate School of Design
Harvard University
Sanders Theatre-Memorial Hall
Cambridge, Massachusetts
May 6-8, 1970

The Harvard Graduate School of Design and The National Urban Coalition have joined together to sponsor an Urban Design Conference-Development Forum focused on the broad implications of mass-industrialized housing.

The program will begin on Wednesday, May 6, with discussions of research, development, marketing and financing. Thursday morning, May 7, will be devoted to a general overview of housing technology and a review of OPERATION BREAKTHROUGH. The program links these business concerns with design and environmental issues through a court-room style proceeding Thursday afternoon. On Friday, policy sessions led by interdisciplinary panels will explore these issues further and attempt to arrive at policy recommendations.

In view of his lifelong commitment to the principles of merging design and industrialization, it seems particularly appropriate that the memorial events for Walter Gropius take place in this context. The Gropius Lecture has traditionally been associated with the Urban Design Conference. This year, in addition, there will be a presentation on the Bauhaus, a retrospective exhibition at the Busch-Reisinger Museum, and the "Grope Fest" to which all participants in the Conference-Forum are invited.

WEDNESDAY, MAY 6, 1970

9:00 a.m.	**Registration**
10:00 a.m.	**Welcome** Dean Maurice D. Kilbridge Graduate School of Design
10:15 a.m.	**Housing: An Overview** Herbert Franklin The National Urban Coalition
11:00 a.m.	**The Corporation as a Housing Producer** William Hooper Boise Cascade Urban Development
12:00 Noon	**Demand Aggregation: A Model** John McMahan Development Research Associates
12:30 p.m.	**Luncheon**
2:00 p.m.	**Industrialization and the Builder** Frank Whitney Walter Kidde Constructors Inc.
2:45 p.m.	**Industrialization and the Developer** Bernard Weissbourd Metropolitan Structures Inc.
3:30 p.m.	**Marketing Industrialized Housing: One Concept** George Bogard Behring Development Co.
4:15 p.m.	**Responses: A Panel** Lewis Douglass Nonprofit Housing Center John Evans AFL-CIO William Lockert Trekcol Urban Corporation
5:30-7:00 p.m.	**Reception**
8:30 p.m.	**Gropius Lecture: Art and the Environment** Gyorgy Kepes

THURSDAY, MAY 7, 1970

10:00 a.m.	**Building Systems: The State of the Art** Ezra Ehrenkrantz Building Systems Development Inc.
11:00 a.m.	**OPERATION BREAK-THROUGH** Assistant Secretary Harold Finger Department of Housing and Urban Development
12:00 Noon	**Luncheon**
2:00-5:00 p.m.	**Is Industrialization of Housing a Real or False Hope?** Mock Trial Advocates: John D. Hamilton, Jr. Daniel A. Taylor Moderator Professor Frank Michelman Harvard Law School Expert Witnessses
8:30 p.m.	**"Bauhaus Method"—Myth or Reality?** Lecture with Words, Images and Music Jane F. McCullough–Thompson Benjamin Thompson

FRIDAY, MAY 8, 1970

9:30 a.m.	**Concurrent Issue Sessions Based on the Mock Trail** Panels Composed of Expert Witnesses, Faculty, Students and Graduate School of Design Alumni
12:30 p.m.	**Lunch**
1:30 p.m.	**Policy Statements from Working Groups to the Plenary Sessions**
3:30 p.m.	**Adjournment**
4:00 p.m.	**The Annual Meeting of the HGSD Association**
6:00 p.m.	**Alumni Dinner**
9:00 p.m.	**"GROPE FEST"**

File
~~WSJ~~
4/16/70

P) 15 CENTS

Housing Bright Spot

Sales of Condominiums Rise Sharply as Rest Of Home Market Lags

Tax Advantages, Freedom From Maintenance Worry Lure Young and Elderly

Problem: Neighbor's Stereo

By TIMOTHY D. SCHELLHARDT
Staff Reporter of THE WALL STREET JOURNAL

CHICAGO—The Kenneth C. Naslund family lived in a rambling, 16-room house here for four years, but they didn't enjoy it. "It was too much trouble to maintain," says Mr. Naslund. Then they moved into an apartment, which they liked, but they disliked paying rent and forfeiting the tax advantages and equity accumulation that go with home ownership.

Now, Mr. Naslund hopes he has found the perfect solution: A $65,400 condominium he has purchased in a high-rise structure under construction on Chicago's lakefront. He will own the three-bedroom apartment, but the building will be maintained by a manager.

Mr. Naslund is buying a form of housing that is catching on rapidly in this country. A condominium is an individually owned apartment, usually in a high-rise building or in a townhouse. The condominium buyer obtains a mortgage from a bank or savings and loan, just like the buyer of a single-family house does. He then repays the loan and sends a monthly maintenance check to the building manager.

The One Bright Spot

The condominium owner's monthly payments—maintenance, taxes and financing—usually total more than he would have to pay if he owned a comparably priced house. On the other hand, the condominium owner needn't worry about mowing the lawn or fixing the roof; his maintenance fee takes care of that. It's difficult to compare the monthly payments on a condominium with the monthly rent on a similar-sized apartment—the size of the condominium loan can make the payments vary widely—but the condominium owner has several advantages over the renter. The condominium owner builds up equity, unlike the renter, and he also can deduct from his income taxes the interest on his loan and the portion of his maintenance fee that is allotted for real estate taxes. The renter can't deduct the portion of his rent that goes for taxes.

This double advantage of tax benefits and freedom from worries about maintenance has made condominiums the sole healthy factor in the U.S. residential-construction scene. In the last six months of 1969, construction starts on single-family houses were down 17% from a year earlier. Starts on rental apartments were down 12%. But construction of condominiums soared 30%. (There are no figures for so-called cooperative apartments, in which the apartment dwellers jointly own their building. Cooperative apartments have the same tax advantages as condominiums but usually are ineligible for mortgages and are more difficult to finance. They are primarily a New York City phenomenon.)

These construction trends are expected to continue this year. Starts on single-family homes will decline 14% in 1970, housing experts forecast, while rental apartment construction will decline 19%. This year, says an executive of a company that charts housing trends, will be "the poorest year for those sorts of housing since World War II." But construction of condominiums this year is expected to far exceed last year's totals.

Land Is a Luxury

The swing toward condominiums has been most marked in hot weather and resort areas,

dominiums this year is expected to far exceed last year's totals.

Land Is a Luxury

The swing toward condominiums has been most marked in hot weather and resort areas. There, many buyers are retired couples seeking a trouble-free, year-round residence or younger people who buy a unit for vacation use and rent it out the rest of the year. In the Miami-Ft. Lauderdale area, for instance, 8,460 condominium units were sold last year, a 64% jump from 1968. In Phoenix, Ariz., it's estimated that 1969 unit sales of condominiums topped the previous year by about 35%.

Some observers believe the growing acceptance of condominiums may herald a far-reaching change in American attitudes toward housing: The separation of home ownership from ownership of a piece of land.

"In the past, the two notions have been indivisible, but they are getting to be a luxury that more and more people can't afford," says John W. Baird, president of Baird & Warner Inc., a large Chicago realty firm. Indeed, Census Bureau statistics show that in 1960 single-family homes accounted for 77% of total U.S. housing starts but that the figure declined to 54% last year. The total is expected to drop below 50% by 1972.

Some Disadvantages

"Land, labor and materials are getting so expensive that a lot of people who might have bought a house 10 years ago can't do it today, and the situation promises to get worse," says Mr. Baird. "Many people are going to have to forget about land ownership."

That may be so, but chucking long-held ideas about homes isn't always easy. "It took a while to get used to the thought that we *owned* our apartment—it just didn't seem like a real home without a garage, big yard and the rest," says Raymond C. Nelson, assistant professor of journalism at Northwestern University, who last fall bought a three-bedroom condominium in Wilmette, a Chicago suburb. Yet he adds: "Now that we're used to it, we think traditional home-ownership ideas are archaic. We've got all the advantages."

Mr. Nelson does overstate his case somewhat, though, for owners of condominiums don't have all the advantages of homeowners. Owners of apartments often have the same woes as renters of apartments—noise from a neighbor's stereo, inability to get the manager to fix things, lack of a yard for the children to play in and constantly rising monthly charges as taxes and the price of help increase.

John R. Harris, a Californian who used to live in a condominium, says one bad feature was that the committee of residents elected to set rules for the complex often set restrictive regulations. "What you can have is a bunch of silly people setting a lot of silly rules about when to use the swimming pool and shuffle-

Please Turn to Page 23, Column 3

ad: The Top Pros d $100,000 a Year

bus to the airport, downed a quick breakfast, and boarded a plane for Philadelphia, where he was to play in the International Tennis Players Association Open Championships.

En route to Philadelphia, Newc explained how a knack for playing tennis can be parlayed into a healthy income. The fees paid by companies for endorsement of tennis equipment have skyrocketed, he said. Newc soon will sign a contract with Rawlings Sporting Goods, a unit of Cleveland-based A-T-O Inc., to endorse a new aluminum racket. He didn't disclose the fee but commented: "One of the world's top-ranked players should be making $35,000 to $50,000 a year from his racket endorsements." This is about double the figure of two years ago.

"I've never played with metal before," Newc said, "so I'll have to get used to that." (He since has played with the metal racket in several matches.) Newc also is under contract with Slazenger, an English and Australian company, to play with wood rackets in several countries but not in the U.S. Thus, he will play with the Rawlings racket in the U.S. and countries where he isn't bound by the Slazenger endorsement.

Taking one of his rackets from beneath the plane seat, Newc said that there was little difference between good rackets. The important factor, he said, is how a racket is strung. He held the racket close to his ear and hit it against the heel of his hand, listening to the pinging sound. "If the stringing is off the slightest bit I can tell instantly," he said. Newc likes exactly 60 pounds of tension. "If it's not right," he continued, "I just take a knife and cut the strings out and have it redone."

Shoes and a Tennis Clinic

Newc also is under contract to two shoe companies and a clothing company for endorsements. But there are other sources of income. Many pros have private, tennis-related

Urban Renewal Lesson Still Unlearned

Urban Plan W-S-J 5/27/70 - Copy to

By HENRY ELLIOT WEINSTEIN

SAN FRANCISCO—The Yerba Buena redevelopment project here would demolish a 12-block section containing 43 run-down residential hotels, 92 other residential structures, cheap restaurants, pawnshops and seedy bars—replacing them with what local businessmen have viewed as "San Francisco's Rockefeller Center."

These plans have been brought to an abrupt halt, though, by the objections of the area's present residents, the same objections so often ignored in past urban renewal projects. George Woolfe, an 80-year-old former longshoreman, says "We who are living our last years in the places that have been our homes for over a decade have asked only that we be treated fairly. We have asked that, if our homes are to be destroyed, that new places be built for us to live."

U.S. District Judge Stanley Weigel recently agreed, halting all work on Yerba Buena pending guarantees of low cost housing elsewhere for present residents—serving notice on the city's redevelopment agency and the U.S. Department of Housing and Urban Development (HUD) that he won't allow the Government to uproot people without far greater provision for their welfare. The Redevelopment Authority sought to have the order considerably revised, and on Monday a Federal court appointed former Governor Edmund G. (Pat) Brown a special master to seek an agreement resolving the conflict.

The $200 million Yerba Buena center is one of the nation's largest urban renewal projects. Uncle Sam is committed to the tune of $31 million in capital grants and $49 million in temporary loans to it. It is the largest commercial urban renewal project to be halted by judicial decree. The ruling in favor of residents here could mark a significant turning point for the much-criticized Federal program to renovate blighted city areas.

The court injunction has demoralized local businessmen who saw Yerba Buena as a key element in maintaining the city's appeal as a tourist and convention center. M. Justin Herman, executive director of the San Francisco Redevelopment Agency, refers to the complex as a potential "Lotus land." Located southwest of the present business district, about a 10-minute walk from the new 52-story Bank of America building, it would include a convention center, a sports arena, a high-rise luxury hotel, an Italian cultural center, six office towers, an airline terminal and garage space for 4,000 cars.

But Judge Weigel sees the project as a classic example of "urban removal." His stinging opinion suggests that urban renewal hasn't yet escaped what HUD Secretary George Romney once conceded were the sins of "its early history." Mr. Romney said urban renewal "was literally a way of bulldozing poor people out of their homes and then using the land to build commercial structures, or luxury or middle-income housing."

Only 276 Housing Replacements

In all, the Yerba Buena project would destroy over 4,000 existing housing units now inhabited by mostly single, elderly pensioners and minority families. To replace them, it contemplates building only 276 new, low-cost housing units.

Judge Weigel's ruling was issued on behalf of a suit by the tenants' group in conjunction with minority group leaders in renewal areas.

The decision, which is being appealed, states that unless the redevelopment agency can demonstrate by July 1 that it will provide decent, safe and sanitary housing for each person who lives in the project area, further Federal funds for Yerba Buena will be cut off. In the interim, the injunction provides that those persons must be "completely secure in the peaceful use and occupancy of the places in which they live." The redevelopment agency is also prohibited from demolishing or condemning any residential structures in the project area, or raising rents of any residents living in buildings it owns.

Since San Francisco is currently plagued by an acute housing shortage, the redevelopment agency may have a difficult time complying. In December the City Planning Department said the city's overall vacancy rate was 2.3% for all apartments at all rent levels. There are almost no vacancies at rents below $100 a month. In addition, the city is way behind its quota of low-cost public housing construction. Many individuals have been on the waiting list for such housing for as long as five years.

Sidney Wolinsky, who represented the tenants as director of litigation for the San Francisco Neighborhood Legal Assistance Foundation, a Federally funded anti-poverty agency, says the decision "in effect, means the city will have to provide firm guarantees that new low-cost housing will be built in order for the injunction to be lifted."

It seems ironic that such a decision has landed on Mr. Herman's door; he has talked in terms suggesting an alteration in the normal dreary pattern of urban renewal. Just last year, Mr. Herman remarked "the natives say San Francisco is so beautiful that we don't need to push redevelopment. They don't see, for one thing, the desperate need for low-to-moderate cost housing and, for another, the potential for more cultural and social amenities." He has often said "there is a benefit of being in redevelopment. You can go to bed each night knowing you have helped the people in the slums."

When it comes to low-cost housing, though, the image and the reality are poles apart in San Francisco. A July 1969 report of the City Planning Department revealed that approximately 6,000 housing units have been destroyed in redevelopment areas here, but only 662 units of housing have been built in renewal areas thus far.

Last December, a group called "The Citizens Emergency Task Force for a Workable Housing Policy" issued an angry report on the city's housing problems and the failure of the redevelopment agency, the Board of Supervisors, and Mayor Joseph Alioto to deal with these problems. William McCabe, an attorney who chaired the task force, said "The city seems to have adopted a course of action making it very difficult to meet low-income housing needs . . . and one that seems aimed toward forcing poor people out of the city."

Mr. Herman staunchly defends his agency's programs to find suitable housing for those displaced by redevelopment. At the lawsuit's first hearing last December, the redevelopment agency claimed it had already "successfully relocated 825 individuals and 150 families."

By the agency's own figures, though, 866 pear and the displaced resident is left with a rent which he cannot afford."

Another issue in the dispute concerns the boundaries of the redevelopment area. The legal brief for the tenants' group asserts, "The boundaries are irregular because the project area has been 'gerrymandered' for no other reason than to maximize the benefits of the plan to wealthy and influential sectors and corporations owning contiguous property."

Gerrymandering or not, it's clear that the redevelopment agency considerably broadened the meaning of the designation "blight" in order to achieve the current boundaries. Ironically, the project now bears a remarkable resemblance to a plan first suggested in 1954 by Benjamin Swig, prominent Democrat and owner of the prestigious Fairmont Hotel on Nob Hill. However, Mr. Swig's "San Francisco Prosperity Plan" was rejected by the redevelopment and planning agency in 1956 on the grounds that it "perverted" the basic reason for redeveloping the area.

A Long-Sought Goal

Mayor Alioto, a good friend of Mr. Swig, and then chairman of the redevelopment agency, lobbied vigorously for the 1956 proposal. Since that time he has been an ardent champion of what San Francisco Business, the official organ of the Chamber of Commerce, calls the "long-sought San Francisco goal" of "large-scale commercial, tourist, and sports development" in precisely the area where Yerba Buena is located.

The San Francisco media, similarly, have been whole-hearted in their support of Yerba Buena. (The two leading dailies, the Chronicle and the Examiner, own property adjacent to the project area which may appreciate in value upon completion of the complex.)

In addition, the labor movement has been united with the commercial interests here in a coalition that has been instrumental in seeing to it that the project has come this far. Labor's interest is clear. According to the redevelopment agency, the Yerba Buena project will create $385 million in construction work and 9,400 construction jobs, including related work on nearby areas. Commenting on the project, John Hogg of the Building and Trades Council said "We are in favor of building with no respect to where it is and how it is."

Jack Morrison, a member of the Board of Supervisors from 1961-1969 who consistently opposed the project, asserts "The whole process of approving Yerba Buena has been disgraceful. This city has just bowed down to business and commercial interests who want to exploit that property." As for the labor support, Mr. Morrison adds "some of those building guys would pave the bay if the city would agree."

Local vested interests are hardly the only ones on the defensive in the drama here, though. Before a local public agency's renewal plan can be granted Federal funding, its plans must be approved by HUD. Judge Weigel's opinion leaves little doubt that HUD's review procedures in this case were negligent and sloppy. The evidence "is overwhelming in establishing that the secretary of HUD was not presented with any proof at all in regard to several vital matters requisite to his approval," he noted.

Kenneth Phillips, director of the National Housing and Development Law Center, an

Redevelopment Agency, refers to the complex as a potential "Lotus land." Located southwest of the present business district, about a 10-minute walk from the new 52-story Bank of America building, it would include a convention center, a sports arena, a high-rise luxury hotel, an Italian cultural center, six office towers, an airline terminal and garage space for 4,000 cars.

But Judge Weigel sees the project as a classic example of "urban removal." His stinging opinion suggests that urban renewal hasn't yet escaped what HUD Secretary George Romney once conceded were the sins of "its early history." Mr. Romney said urban renewal "was literally a way of bulldozing poor people out of their homes and then using the land to build commercial structures, or luxury or middle-income housing."

Only 276 Housing Replacements

In all, the Yerba Buena project would destroy over 4,000 existing housing units now inhabited by mostly single, elderly pensioners and minority families. To replace them, it contemplates building only 276 new, low-cost housing units.

Judge Weigel's ruling was issued on behalf of Tenants and Owners in Opposition to Redevelopment (TOOR), a group of project area residents, and was based on his finding of two fundamental violations of Federal law.

The first is the redevelopment agency's failure to demonstrate the availability of adequate relocation housing for persons still to be displaced from the project area. The other is the redevelopment agency's failure to comply with the HUD regulation calling for consulta- the people in the slums."

When it comes to low-cost housing, though, the image and the reality are poles apart in San Francisco. A July 1969 report of the City Planning Department revealed that approximately 6,000 housing units have been destroyed in redevelopment areas here, but only 662 units of housing have been built in renewal areas thus far.

Last December, a group called "The Citizens Emergency Task Force for a Workable Housing Policy" issued an angry report on the city's housing problems and the failure of the redevelopment agency, the Board of Supervisors, and Mayor Joseph Alioto to deal with these problems. William McCabe, an attorney who chaired the task force, said "The city seems to have adopted a course of action making it very difficult to meet low-income housing needs . . . and one that seems aimed toward forcing poor people out of the city."

Mr. Herman staunchly defends his agency's programs to find suitable housing for those displaced by redevelopment. At the lawsuit's first hearing last December, the redevelopment agency claimed it had already "successfully relocated 825 individuals and 150 families."

By the agency's own figures, though, 66% of the people who have been moved are paying higher rents. The agency asserts that these individuals are now living in "better accommodations" and boasts that they are being assisted with rent supplements. Judge Weigel's opinion points out, however, that "the rent supplements can only be used to make up the deficiency in low-rent vacancies during the first two years after a resident's relocation. After that time the rent supplements disap- lated work on nearby areas. Commenting on the project, John Hogg of the Building and Trades Council said "We are in favor of building with no respect to where it is and how it is."

Jack Morrison, a member of the Board of Supervisors from 1961-1969 who consistently opposed the project, asserts "The whole process of approving Yerba Buena has been disgraceful. This city has just bowed down to business and commercial interests who want to exploit that property." As for the labor support, Mr. Morrison adds "some of those building guys would pave the bay if the city would agree."

Local vested interests are hardly the only ones on the defensive in the drama here, though. Before a local public agency's renewal plan can be granted Federal funding, its plans must be approved by HUD. Judge Weigel's opinion leaves little doubt that HUD's review procedures in this case were negligent and sloppy. The evidence "is overwhelming in establishing that the secretary of HUD was not presented with any proof at all in regard to several vital matters requisite to his approval," he noted.

Kenneth Phillips, director of the National Housing and Development Law Center, an OEO foundation in Berkeley, notes a key problem in regard to the HUD investigative procedures. In the few cases where HUD checks relocation complaints he says "its investigation is usually conducted by the same officials who worked with the city to prepare the challenged plan and have reviewed and approved it." Such a procedure clearly does not lead to the sort of independent, objective analysis that is needed if the interests of project area residents are to be fairly represented, Mr. Phillips concludes.

Shortly after issuing his decision, Judge Weigel left on vacation. Just last Friday, the Redevelopment Agency went before Federal Judge George Harris, in an attempt to modify the injunction so that some buildings in the project area could be demolished, residents relocated, and construction could commence on buildings to be erected in the Yerba Buena complex by Crocker Citizens National Bank, Pacific Telephone & Telegraph Co., Del Monte Corp., and Taylor Woodrow Properties Ltd. of London. The tenants' group strenuously objected.

Special Master's Powers

A compromise was reached with the appointment of former Gov. Brown, now an attorney in Los Angeles. As a special master, he will serve as an arbitrator under supervision of the court, with power to conduct surveys, hearings and conferences relating to revision of relocation plans and alleged fire hazards in some of the older structures still standing in the project area.

Mr. Brown said he is anxious to get the project under way, but he made it clear he is bound by Judge Weigel's original findings of fact and conclusions of law. He will start his hearings immediately and says he hopes to have an agreement formulated before the July 1 deadline Judge Weigel set for a modified relocation plan.

In appointing Mr. Brown, Judge Harris commented on the "complicated, practical problems" that may be more easily resolved by a special master than through ordinary court hearings. Perhaps Mr. Brown may be able to devise a practical solution implementing Judge Weigel's opinion concluding observation on the Federal urban renewal law: "The statute makes it abundantly clear that Congress intended residents of blighted areas to be the beneficiaries, not victims of urban renewal."

 Housing & Planning

In Glasgow, Housing Hopes Gang Agley

By GEORGE MELLOAN

GLASGOW, Scotland — When Glasgow a few years ago held a design competition for a new public housing project, the winning architect described his high-rise building as a "monument to Glasgow's gaunt power."

Many Glaswegians are indeed proud of the new skyline this city has created with a massive public housing development plan. But some are beginning to wonder whether Glasgow is in fact creating monuments or a monster.

Their doubts may hold some warnings for other cities that are tempted to plunge too deeply into public ownership of housing. Glasgow's experience shows that public housing does not necessarily solve social problems but may in some ways aggravate them, that overemphasis on public development tends to drive out private development and that belated attempts to make public housing pay its own way can produce political uproars.

Glasgow's plunge was dictated partly by political choice. The city has a strong socialist tradition that supports widespread welfare benefits.

A decade ago the city council became aware that Glasgow's sprawling blocks of four story, gray stone tenements—built during a rapid industrial build-up in the early 1800s—were all deteriorating at once and becoming uninhabitable. The council launched an urban redevelopment scheme that eclipsed anything ever before attempted in Britain. It called for demolition of nearly one third of the city's housing in 20 years and its replacement with city-owned flats. Some 120,000 flats were to be demolished.

The project is only about half complete but already the city, which operated some housing before, owns and maintains nearly half of Glasgow's total housing. Its debt has climbed to over $810 million from $367 million in 1960. The rents and taxes it receives from its tenants do not even cover the interest on the debt, let alone reduce the principal.

As the city's ownership has risen, its tax burden has been spread over fewer private taxpayers, with the result that taxes have risen for owners of private property. Glasgow's per capita property tax is over $110 a year compared with $70 for Liverpool, a city of roughly similar size and composition. Private building has slowed to a trickle, and there are widespread resentments among private homeowners.

Some More Equal Than Others

"Those people who are not in public housing have high costs and high taxes compared to those who are in," says Peter Gemmill, a leader of the Progressive-Conservative Coalition on the Glasgow city council. "Rather than the socialist theory of more equality, we are going in the opposite direction."

The obvious answer to this, of course, is to raise the rents on council housing. But attempts to raise rents, in the words of Mr. Gemmill, are "political dynamite." At one recent council meeting on housing, "we had to call the police in," Mr. Gemmill says. "No blows were struck but things were flying around the room."

The Progressive-Conservatives did manage to push through a rent boost. Average rents per family will go up to $220 a year in November from $184. But with higher interest rates on the city's debt even this will not cover interest costs. The city also is exploring the idea of selling houses to tenants but this is meeting the same sort of opposition as higher rents.

As still another solution to its problems, Glasgow would like to get the British government to simply absorb its debt as it has with at least one debt-ridden public corporation. But this would set a precedent that the government is not eager to establish since there are plenty of other British cities with sizable debts as well.

Part of the political volatility of the housing issue no doubt derives from the fact that new housing has not turned tenants into happy, contented citizens. Since early last century when the city began an industrial build-up that was to make it, for a time, the "second city" of the British empire and the third largest of Europe it has had a reputation as a restless, brawling city.

Two main groups migrated here to work in the burgeoning shipbuilding, heavy machinery and textile industries. One consisted of poor Irish Catholics, forced out of Ireland by the potato famines. The other was made up of Protestant Scotch Highlanders driven from the Highlands, amid much bitterness, by the "Highland clearances" when British landlords undertook to make more room for sheep grazing.

Descendants of the two groups, Catholic and Protestant, each comprise about half of Glasgow's population and still feud as they have for decades. The feud becomes most intense when the city's two professional soccer teams meet in heavily policed matches. One team, the Rangers, is supported by the Protestants, and the other, the Celtics, is supported by the Catholics.

Partly because of this enmity, Glasgow is one of Britain's most violent cities. It accounts for only about 1.8% of Britain's population but about 7.5% of its murders and other forms of violent crime. "It really isn't safe to take your wife downtown on a Saturday night," says a young newspaper reporter here.

In recent years, much of the violence has been conducted by youth gangs and some of these gangs have emerged from the housing projects that Glasgow hoped would solve some of its social problems. One of the most notorious centers of gang warfare was Easterhouse, a pleasant looking development on the city's east side.

Whether the gang warfare is merely a carryover from a generation that had its beginnings in the slums, no one can say for sure.

Social problems are not at all uncommon in housing projects in many places where established—albeit decrepit—neighborhoods have been demolished and their occupants placed in new and unfamiliar surroundings.

But Glasgow planners admit that the city, partly in its haste to simply provide shelter, created some new problems for tenants. Initially, it went in heavily for high rise buildings in an effort to make the best use of the limited building space. But, says Ian Robert, the city's assistant chief planning officer, the architects for some of the buildings didn't provide enough elevator capacity there.

"As a result," he says, "there are some buildings where occupants have to wait 20 or 25 minutes for an elevator when children are leaving for school and parents are leaving for work." Also, he says, some of the wives in the higher reaches of such buildings seem to suffer from tensions as a result of the difficulties of getting their young children out to play. Because of such problems, Glasgow has suspended further high-rise construction.

A Sizable Oversight

Another sizable oversight occurred in one large area where housing was built for some 100,000 people but no space was left for shops or service facilities. The residents, few of whom own cars, often have to ride a bus for a mile or so just to meet simple shopping needs.

Glasgow has, however, tried in its building to reduce the density of its central city population and provide more space for recreational areas, schools and the like. To accomplish this it has followed a program of planned depopulation of the city by arranging "overspill" agreements with 65 surrounding towns and cities. It makes grants to help these communities provide housing for Glaswegians who are willing to move out. Its aim is to cut Glasgow's population from 1.1 million a decade ago to around 900,000 by 1980.

However, this idea is working too well. The city is losing population at faster than the planned rate. It has almost reached the target of 900,000 already. A lot of the people who are leaving are doing so without encouragement and many of them are people with skills and abilities Glasgow would prefer to keep.

A good many are not only migrating out of Glasgow but out of Scotland entirely, to Australia and Canada. "This city stinks," is the vigorous opinion of one recent migrant on his way to Australia. "I want to go to a place where I can select the place where I live rather than being assigned to a (city) council house."

This greater than expected out-migration coupled with a decline in Glasgow's traditional shipbuilding and textile industries, is a source of worry to Mr. Robert. "This city is running down and dangerously so," he says. "People are leaving in fantastic numbers."

Whether Glasgow could have avoided its difficulties is a matter for debate. But there is every reason to believe it might have if it had given more thought to finding better ways for its citizens to become independent and self-supporting and adhered less to the idea that it could provide them with a better life that no one would have to pay for.

George Melloan, who recently joined the Journal's editorial page staff, researched this story while still a member of the Journal's London bureau.

Letters to the Editor of the Journal

HUD newsletter

OFFICE OF PUBLIC AFFAIRS
U. S. Department of Housing and Urban Development
Washington, D. C. 20410 (202) 755-5280

August 15, 1970 Vol. 1 No. 14

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HUD Supports Utility Sponsored Housing

Secretary Romney has urged Congress to amend the Public Utility Holding Company Act of 1935. The proposed amendment would authorize the Securities and Exchange Commission to approve utility holding company systems investment in low-and moderate-income housing projects. This action results from a June 1970 SEC decision that Michigan Consolidated Gas and other gas and electric utility holding company systems are prohibited by the 1935 Act from diversifying their holdings by building or owning housing projects. HUD and SEC are preparing legislation which would permit utility holding company involvement in housing. . . subject to SEC approval. Michigan Consolidated Gas. . . which had earlier contemplated court action to overturn the SEC decision. . . has decided to await the outcome of this legislation rather than to appeal the June SEC decision to the courts at this time.

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FHA Helps Contractor

Fred W. Eversley, Jr., a black construction contractor who has been involved in an increasing number of FHA-assisted housing projects, called the New York City FHA Insuring Office to express his thanks for "your interest and support." The FHA staff. . . in making its routine evaluation of the projects. . . felt that additional commitments being processed and on the horizon might severely strain Mr. Eversley's capital resources and bonding capability. They so advised him. . . **and he was urged to take the necessary steps to strengthen his financial position.** He did so.

In his telephone call he disclosed that he had just received a $1.6 million line of credit from a major New York bank. . . along with additional credit totaling $2.5 million from several insurance companies.

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Mobile Homes Gain in Market

Mobile homes will probably constitute more than half of all the new homes sold in the United States this year, a leading mortgage banker predicts.

J. Philip Gilligan, president of the Southern California Mortgage Bankers Association, says that in 1969 mobile homes represented 46 percent of the single-family residential market, with sales of 396,500 units.

"With the traditional housing market still knee deep in the doldrums, the odds are quite in favor of mobile homes taking at least 50 percent of new home sales this year," says Gilligan.

"By 1971 it is estimated that some $3 billion in financing will be needed for mobile home loans."

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Use of funds for printing this publication approved by the Director of the Bureau of the Budget November 21, 1969. Annual subscription $2.50 domestic, $3.25 foreign, from Superintendent of Documents, Washington, D.C. 20402.

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Significant Court Decisions

A number of important court decisions... concerning zoning, housing, and related subjects... have recently been handed down. Summaries of those with the greatest impact on HUD programs are reported in this *Newsletter* from time to time. Because of the steadily growing volume of litigation affecting public housing, renewal, and Model Cities programs ... local agencies administering these programs have asked for assistance in identifying significant rulings that may affect their operations.

As a result... in addition to the brief summaries appearing in the *HUD Newsletter* ... **HUD will now reproduce and circulate court opinions of interest to counsels for public bodies handling HUD grant programs. The material will be in the form of unpublished, uncertified copies... with a brief discussion of each opinion accompanying the distribution.** Although HUD is not directly involved in much of the litigation, the information will be useful in permitting public agencies to learn how certain issues are being handled by courts across the country.

In *Housing and Redevelopment Authority in and for the City of Minneapolis, et al. v. City of Minneapolis, et al.* (Fourth Judicial District, Hennepin County, Minnesota, No. 666074), the trial court permanently enjoined the defendant aldermen from ordering a special election to submit to the voters of the city, pursuant to a referendum petition, a proposed Charter Amendment which authorizes a referendum and requires the approval of a majority of voters **residing within an urban renewal area** before a project is initiated. The court found the amendment vague and unconstitutional. It concluded that the State law on urban renewal preempted the field and nonresidents of an urban renewal area having substantial interests therein were denied equal protection of the law by not being able to vote at the special election.

In *Jersey City Redevelopment Agency et al. v. Hugler et al.* (Superior Court of New Jersey, Appellate Div., Docket No. A-853-69), the Appellate Division affirmed a judgment upholding the validity of a 1967 New Jersey statute which provides that the value of land condemned for urban renewal purposes shall be determined to be no less than its value on the date of the declaration of blight. Various contentions based on improper classification, equal protection of the law, and abolition of "defenses" of the condemning agency were considered and rejected.

State courts recently have awarded monetary damages for mental suffering in housing discrimination cases. *United States Law Week* reported that the Supreme Judicial Court of **Massachusetts** awarded $250 to a prospective tenant... for the "considerable frustration, anger, and humiliation" caused when he was refused an apartment because of race ...*(Massachusetts Commission Against Discrimination vs. Franzaroli).* The **New Jersey** Superior Court awarded *$2,000* to a Malaysian official and $500 to a black woman in a joint suit...*(Farouk-Bivans vs. DeHart)*... and $500 to a black minister...*(Gray vs. Serruto)*...who had been denied housing because of race... according to the *Philadelphia Inquirer.*

A U.S. District Court in Rhode Island struck down a two-year residency requirement imposed by the Newport Housing Authority. In *Cole vs. Housing Authority of the City of Newport*... the Court held a two year durational residence requirement as a condition of eligibility for low rent housing to be in violation of the equal protection clause of the Constitition's 14th Amendment... "in interference with the basic constitutional right to travel freely... and an unlawful addition to the specific provision of the 1937 Housing Act." Suits seeking to bar similar requirements have been brought in Perth Amboy (New Jersey), Syracuse, and New Rochelle (New York).

A Trainload of Homes

Five hundred residents of Corinth (Mississippi)... many of whom will occupy the houses... looked on. Sen. John Sparkman of Alabama and Harold B. Finger... HUD Assistant Secretary for Research and Technology... came down from Washington for the occasion. A 2,000-foot long, 18-car freight train pulled into the railroad station... carrying 56 preassembled module sections of 14 townhouses. Six of the modules were removed from the flatcars... taken to a building site... and erected on a concrete foundation. This was the first of a group of 33 houses to be erected in the next 30 days.

The newly erected homes will be used to house the victims of a tornado that struck Corinth in April... killing four persons and destroying the homes of more than 100 families. The homes... which had been manufactured in Avon (New York)... have been purchased by the Tennessee Valley Regional Housing Authority... and will be rented to needy families who will pay 25 percent of their income for rent. The Government will make up the difference.

The event had two-fold significance. It provides housing for the victims... more quickly than they could otherwise get it... and the manufacturer... Stirling Homex Corporation... announced it would soon build a factory in Mississippi to manufacture the units ... creating a large number of new jobs. The factory will be operated on a unionized and integrated basis.

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What Business Is Doing

The front cover of the 1969 Annual Report of the Advertising Council depicts a check made out for $450 million to the American Public. The Council states this sum is the traceable dollar value of media contribution of time and space in the public interest in 1969. **During the past 28 years... according to the Council... the Nation's communications media have contributed more than $5 billion worth of services and facilities to persuade individual citizens to take actions that would improve their own lot, or their community's, or the welfare of their fellow citizens.**

The Report emphasizes not only what has been done in the past... but the Council's future direction... to cooperate with any positive action efforts... public and private... in attacking environmental pollution... solving the crises in our cities, including racial relations ... coping with the problems of hunger, malnutrition, crime, and delinquency... and bridging gaps between promise and fulfillment of the American economic system. For the first time in 1970... the Council's activities will become international... helping leaders of 23 countries establish their own councils to stimulate voluntary citizen action.

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World's Largest

The City of Oakland will build the world's largest underground garage... a $20 million, 3,600-space facility... as part of the City Center renewal project. The garage... part of a shopping mall, office building, and hotel complex... will be financed by revenue bonds... at no cost to the taxpayers.

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Land Sales Office Self-Sustaining

HUD's Office of Interstate Land Sales Registration is the rare Federal agency that brings money into the United States Treasury repaying the cost of its operation... plus.

For the first six months of 1970 it took in $259,932.75 from filing fees. Salaries for the same period... for its staff of 39 people... came to $235,839.25.

Interstate Land Sales is charged with the administration of a consumer-oriented act designed to protect buyers of land being sold in interstate commerce from the consequences of material misrepresentations made by land developers.

National Chamber Urges Enactment of Housing and Urban Development Act

Prompt action and passage of the Housing and Urban Development Act of 1970 has been urged by the U.S. Chamber of Commerce.

Otis M. Mader, president of Alcoa Building Industries... and chairman of the Chamber's Construction Affairs Committee... said, "The Nation is suffering from a major housing shortage and housing production is moving backward at a time when it should be moving forward... the bill will eliminate Federal housing program inconsistencies, consolidate programs which have similar objectives, standardize elements common to similar programs, and allow flexibility to meet local needs."

In another action, the Chamber has published the results of surveys it conducted into socioeconomic activities and successful urban programs involving businessmen, chambers of commerce, or trade and professional associations. Summaries of these activities are available in *Where the Action Is,* which lists more than 150 successful examples of how businesses are working to solve social problems in their communities... Price $1.50... and *Socioeconomic Activities of Trade and Professional Associations*... free from Urban Action Clearinghouse, Chamber of Commerce of the United States, 1615 H Street, N.W., Washington, D.C. 20006.

Deposits and Savings Up

There was a net inflow of $730 million in June of time deposits in commercial banks... compared to an outflow of just under $2 billion in June 1969... and a 38 percent increase in mutual savings deposits... $450 million in June... compared to the same month in 1969. In May... savings and loan associations had a net inflow of $754 million... 17 percent above a year ago.

New Publications

Urban Renewal: One Tool Among Many...the Report of the President's Task Force on Urban Renewal... price $.20. *Toward Better Housing for Low-Income Families*... the Report of the President's Task Force on Low-Income Housing... price $.25.

Basic Laws and Authorities on Housing and Urban Development... revised through January 31, 1970. Prepared by the House Committee on Banking and Currency. A comprehensive listing of laws, Executive Orders, and other authorities... cross referenced by U.S. Code citations and Section numbers... price $4.00.

Available from the Superintendent of Documents, Washington, D.C. 20402.

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Washington, D. C. 20410

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HUD newsletter
OFFICE OF PUBLIC AFFAIRS
U.S. Department of Housing and Urban Development
Washington, D. C. 20410 (202)

August 15, 1970

HUD-191-SP

VOL. CLXXVI NO. 29 ★

Preserving the Past

Groups Fight to Stop Leveling of Landmarks By Urban Developers

Laws to Save Old Buildings Often Don't Halt Razing; But Air-Rights Plan Works

Trip to a New Jersey Dump

8/10/70

By JOHN V. CONTI
Staff Reporter of THE WALL STREET JOURNAL

CHICAGO—A battle is raging between the bulldozer and preservationists trying to save fine old American buildings, and so far the bulldozer seems to be winning.

The fight over the old Chicago Stock Exchange Building on North LaSalle Street here shows the sort of thing that has been happening. Designed by the noted architects Louis Sullivan and Dankmar Adler in 1893, it is one of the finest buildings in the city and one that preservationists hoped would be saved by a new city law aimed at saving landmarks.

But it looks as though the 13-story office building will soon come down anyway. It stands on prime commercial property in the heart of the Loop, and a group of real estate developers have plans to replace it with a 40-story office tower that, among other things, would yield the city an estimated $800,000 a year in taxes, more than five times the current tax take at the site.

The developers have committed themselves to buying the old building for $7 million. To preserve it under the new landmarks law, the city, which is already pressed for cash, would be obliged to buy the building for $7 million. Not surprisingly, a committee of the Chicago City Council recently voted against trying to save the building. The full council is expected to cast a similar vote today.

In Good Company

If the North LaSalle Street building does come down, it will be in good company.

Of some 12,000 buildings listed as worth preserving in the Federal Government's Historic American Buildings Survey, fully 50% have been torn down since 1933. If anything, the pace of destruction has accelerated in recent years. Those demolished range from New York City's monumental Penn Station, which has been replaced by an office building and sports arena, to a block of historic old homes in Lexington, Ky., some dating to the 1780s, which were razed to make way for an urban renewal project late last year.

The landmarks controversy, though not new, has recently grown as preservationists, armed with new but often ineffective laws, have begun to pit themselves against property owners, real estate planners and even governments. Landmark battles often involve lengthy delays for would-be developers as they go through protracted negotiations, public hearings and sometimes into court. At times, there have even been bulldozer-blocking demonstrations.

The battles are erupting just about everywhere:

—In New York City, the Landmarks Preservation Commission is seeking to keep the Penn Central Co. and a group of builders from straddling Grand Central Terminal, a monumental beaux arts-style structure, with a modern 55-story skyscraper.

—In San Francisco, preservationists are seeking to find a new use for the abandoned old U.S. mint, a classical building, which the Government might allow to be torn down.

—In Cincinnati, landmark lovers are trying to persuade Procter & Gamble Co. not to level a quaint old church—the oldest public building in the city—to make way for an addition to the company's headquarters.

A Larger Dilemma

To most preservationists, the landmarks problem is simply one facet of a larger dilemma: How to preserve what's good in the environment in the face of the need for the new.

Preservationists say they're trying to prevent the forces of change and economics from sweeping away what they regard as many of the historical showpieces of American civiliza-

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Preservationists say they're trying to prevent the forces of change and economics from sweeping away what they regard as many of the historical showpieces of American civilization. "We think these early buildings are part of our total heritage in the same way that manuscripts and archives are," says Sylvester K. Stevens, chairman of the White House-appointed National Advisory Council of Historic Preservation. "We're trying to save those buildings and parts of cities that are typical of our history and illustrate it by their character."

But saving old buildings, events are proving, is not an easy thing to do.

Many are in advanced stages of disrepair. Even when they're structurally sound, as the Old Chicago Stock Exchange is, what beauty they have is often obliterated by age. The Old Exchange is faced with richly ornamented cream-white terra cotta, but no passerby would ever notice it because it has been totally blackened by three-quarters of a century of Chicago grime.

For such reasons, many persons don't recognize the buildings preservationists want to preserve as anything special. "One of the biggest messages we get back (from builders planning to demolish a landmark) is that they didn't know the building was important," says James Biddle, president of the National Trust for Historic Preservation, the country's biggest preservation group.

The Economics Problem

The chief problem for preservationists, however, is economics. In big cities, where land is scarce, the problem is particularly acute. Most big city landmarks don't occupy all the space that zoning codes permit for a site. A new, bigger building that would use more space would normally also make much more money. In most cities, that's the key consideration.

Beyond that, old buildings generally are more expensive to maintain and operate and aren't as attractive to renters of office space, who usually want modern quarters.

Interestingly, landmarks such as the Old Stock Exchange here aren't doomed because of a lack of laws aimed at saving them. Some 144 American cities have landmark laws of one sort or another. About half have been passed in the last five years. Many, however, like the one here, are turning out to be ineffective in the face of hard economic requirements.

Generally, landmark laws give local agen-

Please Turn to Page 15, Column 5

Preserving the Past: Groups Fight to Stop Leveling of Landmarks

Continued From First Page

cies power to regulate additions or alterations to a landmark. However, they often cannot save a building from being torn down. If an owner insists on demolishing a building and the particular local agency can't find a willing buyer, it generally must either buy the building itself or let it come down. To do otherwise would be an unconstitutional taking of property without compensation. Buying or subsidizing is usually out of the question: Few cities or states have resources to spare on old buildings, and available Federal funds are negligible.

One way in which preservationists are attempting to supplement landmark laws is through proposing additional legislation that would give incentives to property owners and developers willing to forego tearing down old buildings.

One such plan is being tried in New York City. The New York plan, which recently became law there, permits a landmark owner to sell "air rights" over his property. These air rights are the difference—say 10 stories—between how big the landmark building actually is and how big the zoning law would allow a new building on the landmark site to be. The owner can sell these rights to a developer planning a new building on another site nearby.

Transfer of Air Rights

The developer may transfer the purchased air rights to his own site and is allowed to exceed the zoning limit for his site by the amount of air rights he's purchased—the 10 stories. Thus, if the zoning laws on the builder's site limited him to 50 stories, he may increase his building to 60 stories.

Preservationists are optimistic about the scheme. It can be handsomely profitable for both sides. In the one case where a transfer has actually been arranged, a New York landmark owner, James Amster, stands to realize a $500,000 windfall for selling the development rights over his landmark—a group of small one to four story red brick buildings, all 100 years old, set right in the middle of giant office and apartment towers a few blocks east of Rockefeller Center. "I finally am bagging a fortune," Mr. Amster, an interior designer, remarks.

He is selling the air rights to Laird Properties Inc., which is putting up a 40-story office tower next door. Laird will be able to build the equivalent of two stories higher than the zoning law would normally permit. That will mean at least $30,000 a year in additional profit for Laird, according to William E. November, Laird's vice president.

Other Advantages

The transfer scheme has other advantages. Once the air rights over a landmark are sold, no building larger than the landmark can ever be built on the landmark site. This strips away the economic incentive for redeveloping the site. By selling the rights, moreover, the landmark owner can raise extra money to maintain his building. Mr. Amster plans to set aside $100,000 from his half million for a permanent maintenance fund. "If I died and my estate was smart cookies they'd pull these buildings down," he says. But now, says Mr. Amster, "I'm delighted that nobody can ever change them."

Preservationists also are trying hard to find new and profitable uses for buildings saved from demolition. San Francisco's Ghiradelli Square, a waterfront block of red brick factory buildings surrounding a court, has been converted by a private investor into an arcade of shops, restaurants, theaters and an art gallery. The stores registered sales of $11.7 million last year.

Many historic landmarks have been less fortunate. The Philadelphia home of Dr. Benjamin Rush, a signer of the Declaration of Independence and one of the first physicians in the Colonies, was demolished by accident last year by developers who were simply unaware of the house's importance. Preservationists later retrieved some fragments of the house from a New Jersey dump.

CITIES

The golden days are gone in suburbia

The worsening problems of the cities have spread beyond their borders

The traditional vision of suburbia has almost entirely faded. That vision once promised attractive homes in bucolic settings, good schools, quaint downtowns, and a leisurely life style free from overtaxed and racially troubled central cities. Millions of white middle-class Americans reached for that dream following World War II, and thousands of businesses followed them. It now is only an illusion.

Instead, many suburban communities are in deep trouble. U. S. Census Bureau figures this year reveal that more people now live just outside central cities than in them or in rural areas. "The worsening conditions of the cities have only speeded the outward movement [of people]," maintains a Committee for Economic Development study released earlier this year, "and the result has been that many problems of the cities have spread beyond their borders."

Suburban physical plants—the housing stock, schools, sewers, streets—are still not so antiquated as those of the cities. Pollution is not so widespread, crime not so rampant, fiscal solvency not so tenuous. But as urban expatriates continue their quest for the golden fleece in suburbia, ominous signs are cropping up. Among them:

- Heavy reliance on the property tax to finance essential services has boosted rates to levels often higher than those in the central city. The suburban taxpayers' revolt is not fiction: Voters in burgeoning Orange County, Calif., have turned thumbs down on more school bond issues than they have passed over the last five years.
- A growing body of court cases, carried by alliances of civil rights groups, social theorists, and the federal government, is threatening suburban zoning practices, especially in housing. The result: Many suburban communities have grown even more defensive in their land-use policies.
- Suburban black belts, thin mini-ghettos that stretch across several adjacent communities, usually older ones closest to the central city, are expanding. In such suburbs, a cycle of urban renewal is beginning. At the same time, the increasing cost of social services for their poor has helped push suburban county budgets out of shape.
- A plethora of overlapping jurisdictions augments tax burdens and often impedes both rational land-use planning and the responsiveness of local government so highly valued by suburbanites. In the Chicago metropolitan area, there are 1,113 local governments, or 186 per county. Most suburban residents are served by at least four: a county, municipality, school district, and one or more taxing districts whose functions range from garbage collection to mosquito control.

"The suburbs no longer exist in a separate world even though they do exist in a relatively privileged part of the world," says S. J. Schulman, a planner who oversees a new joint venture arrangement between Westchester County and New York State Urban Development Corp. But he and other urbanists believe that most suburbanites hold change, any change, highly suspect, and that this attitude may prove the biggest stumbling block in coping with the maladies of large metropolitan centers.

Explains William Shore of New York's Regional Plan Assn., a tri-state (New York-Connecticut-New Jersey) independent planning agency: "Suburbs naturally are afraid of life becoming worse instead of better. This can mean the loss of green space, a sense of crowding, a fear of crime. Suburbanites may not be happy with what they have, but they are afraid that change will be negative."

Zoning power. Perhaps the biggest challenge for change in the suburbs and in their relationships with central cities focuses on zoning, one of the trinity of sovereign powers—the others are taxation and eminent domain—that states have willed their localities. Zoning is the power. It can dictate the caliber of municipal services (box, page 39), determine the character of the community, control residential growth, shun or solicit industry, exclude minority groups. It is the tool that suburban officials can wield to foster the homogeneity many "urbophiles" decry.

Suburban governments contend that their zoning practices are only monuments to fiscal reality. Industry, commercial shopping centers, and expensive homes zoned on large lots yield more tax revenues and eat up less in high-cost services, especially schools, which account for half of every tax dollar in some communities.

In the tri-state New York metropolitan region, for example, 48% of the vacant land zoned for residential use, excluding the city itself, requires single-family homes on one acre or more. In prestigious Westchester, only 14 of 44 cities, villages, and towns have built or planned for middle-income housing. New homes there generally start at $45,000. And, across the Hudson River, half of Bergen County's 70 municipalities ban any apartment construction. Few multifamily dwellings pay their own way. Many suburbs that do allow them insist only on luxury, one-bedroom apartments, a device planners call architectural birth control.

Such zoning tactics can produce fantastic results for a suburb. Ten years ago, for example, Highland Heights, Ohio, just east of Cleveland, was a growing upper-middle-class community of 3,000—with no industrial tax base. "We were getting caught in a financial bind," recalls Mayor William J. Brennan. "When we wanted a traffic light, we didn't have the money to pay for it. We had no police patrol cars at night. Rubbish collection was once a month." Now, thanks to two small industrial parks, Brennan can point to new air-conditioned police cars for his 11-man force and to weekly garbage collections. "Our problems are much less acute now," he says.

> 'Local zoning restrictions merely determine the character of the town'

Highland Heights has doubled in size since 1960 but its property tax base has zoomed 314% to $30-million. And with its new industry, the community still can cling to its single-family residential zoning pattern.

"It [zoning] is designed for the very purpose of trying to avoid the costs implied in residential growth and its effect on public school growth," explains Sidney L. Willis, director of the State & Regional Planning Div. for New Jersey's Community Affairs Dept. Willis believes that municipal zoning is primarily a defensive tactic, but most local officials would agree with the assessment by Nelson G. Gross, a former chieftain in Bergen County and now Republican candidate for the U. S. Senate: "Local zoning restrictions keep no one out. They merely determine the character of the town."

Challenge. Despite such disclaimers, several groups are challenging zoning practices—variously labeled exclusionary, restrictive, large-lot, or fiscal—on the basis that suburbs have abrogated their power to zone by not pro-

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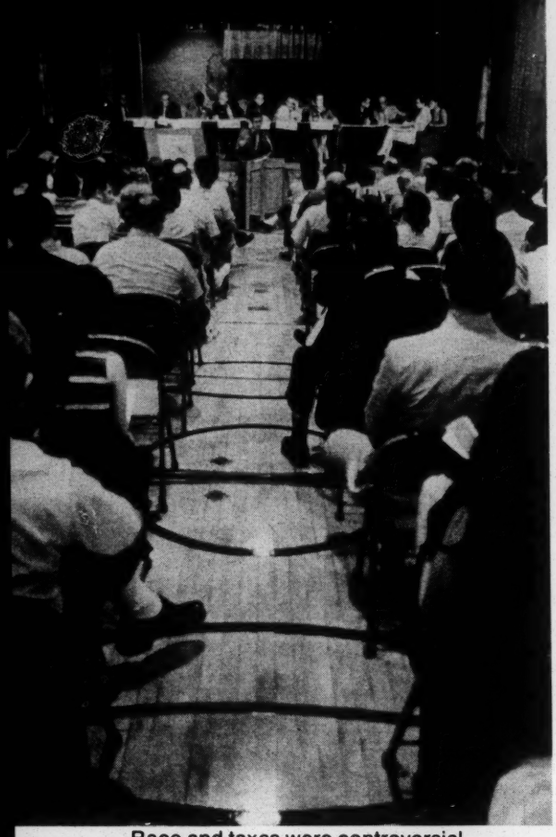
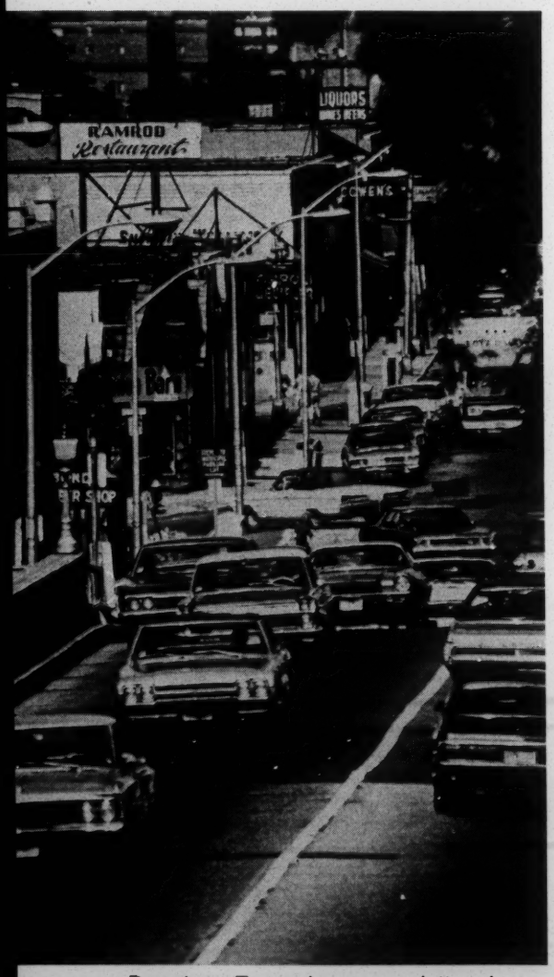


Race and taxes were controversial issues at Teaneck (N. J.) town meeting.



Downtown Teaneck, once uncluttered, now is jammed with traffic.

'Suburbs want to control their own destinies'

moting the general welfare. At the same time, urban planners argue that such zoning creates suburban land-use patterns that are unrealistic, even destructive, in the face of a skyrocketing metropolitan population.

Local insistence on large-lot zoning also produces a cruel mismatch between expanding industrial jobs in the suburbs on the one hand and housing for workers to fill them on the other. Says Ernest Erber, research director for the National Committee Against Discrimination in Housing, whose attorneys have challenged zoning practices in courts from Montclair, N. J., to Union City, Calif.: "Companies have leverage while scouting prospective suburban locations, but few use it. It's essential, for both employee and employer, that companies think of employment and housing as linked."

Take one community in northwestern Bergen County. Mahwah has a population of 10,700 living within its 26 sq. mi.; 10% of its land still remains vacant. But the community also contains two elements that work at cross purposes: Ford Motor Co.'s mammoth assembly plant and a mere smattering of apartments. Only 20% of the auto maker's 5,000 employees, 40% of them black, can afford to live in Bergen, much less Mahwah itself. For Ford, these facts contribute to a 5% rate of absenteeism and an annual turnover of about 20%. "To find suburban municipalities with a 5% to 10% minority population is to come upon islands of democratic living," a recently released NCDH report comments sardonically.

State action. Only a few state legislatures have tampered with politically explosive local zoning ordinances. Massachusetts, for one, has a new law that allows builders to appeal large-lot zoning impediments to a state panel for review. New York has taken the boldest step, however, with the creation two years ago of its Urban Development Corp.

With the power, as yet unexercised, to overturn local zoning restrictions, UDC signed agreements earlier this year with Westchester and Suffolk counties for housing and development programs. Top priority will be given to low- and middle-income housing, but UDC is treading carefully. In Westchester, for instance, it will concentrate its first projects in older suburbs—New Rochelle, Mt. Vernon, Yonkers, White Plains—which already bear the scars of urban blight.

Such poverty pockets stick out like sore thumbs in Westchester, Bergen in New Jersey, Cook County around Chicago, and other suburban locales where affluence is the norm. Says John W. McMahan, president of Development Research Associates, a Los Angeles-based economic consultant active in suburban work: "Too often, suburbs have considered themselves immune to decay. And ironically the problems of blight are all the more pronounced because suburbs have not recognized them. From now on, suburbs are going to have to spend more and more on repairing their physical plants."

Roadblocks. That job will be complicated by two decades of mindless land-use planning. From Los Angeles to New York, transportation arteries in many suburban counties are barely distinguishable from those of their central cities: a garish tangle of automobiles, billboards, strip developments, and other signs of creeping urbanization and population explosion.

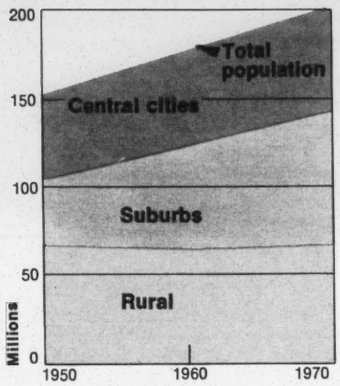
In Dekalb County, Ga., just north of Atlanta, main roads bulge with fast-food franchises, service stations, and apartment complexes, despite efforts of subdivision associations to guard against encroachment by commercial developments. But nowhere is the problem more dramatically illustrated than in Orange County, Calif., a living example of the horror of nonplanning.

"It is 10 years too late in coming," bemoans County Supervisor David L. Baker of Orange's first master plan, adopted earlier this year. "There was a reaction to growth here rather than a plan for it." With no center of its own, Los Angeles sprawled south into Orange County during the 1950s and reached breakneck speed in the 1960s when population doubled to 1.4-million, making it the largest all-suburban county in the nation. During one period in the late 1950s, schools were built at a rate of one every 17 days. But with an almost total absence of coordination among residential, industrial, and commercial elements, Orange's 25 municipalities hardly considered interior roads or open space. Instead, they scrambled to annex every piece of land in sight. What has emerged is a traffic-choked, crazy-quilt pattern of municipal boundaries that gives fits to residents, companies, and local officials.

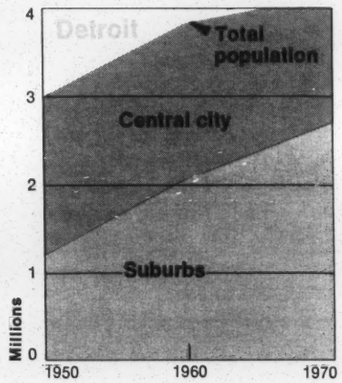
Orange County's explosive growth has influenced the delivery of services as well. Laments Baker: "We're faced with a need to provide higher education, mass transit, airports. There is a solid waste problem. The sewage lines are underdeveloped and overloaded." The morass of taxing units is awesome: 133 self-governing districts covering such things as cemeteries, flood control, and water. Many of them clash directly with municipal services.

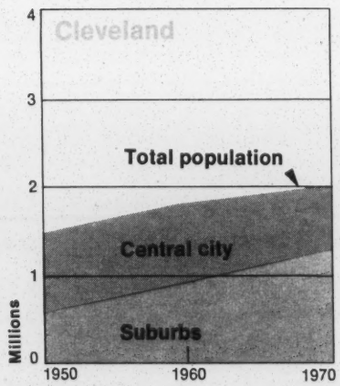
What is needed. This fragmentation of governmental services in Orange and many other suburban counties cries out

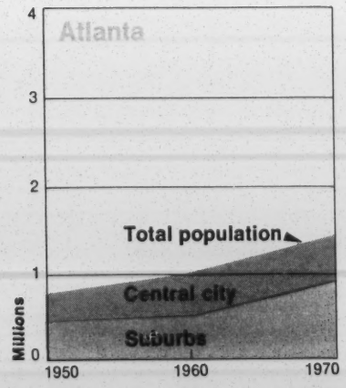
The growth of the suburbs nationally . . .



. . . is reflected in major metropolitan areas







Data: Census Bureau and BW estimates

for a more rational approach. In Bergen County, for example, each of 70 localities maintains its own police force, hears cases in its own municipal court, usually operates its own school district, appoints its own planning board, building inspectors, health officers, and assessors, and elects its own governing body. Since the property tax pays for almost all of them and more, the strain on local budgets is tremendous.

That strain may make regional approaches to metropolitan problems more palatable to many suburbanites. Says Robert C. Wheeler, community development group manager for Evanston, Ill., a large suburb just north of Chicago: "I don't think Evanston by itself can solve its problems. Each problem needs more resources than the city can produce to solve it. Most of our hope is for cooperation between governments." But because of a substantial number of poor, Evanston differs from most suburbs. Until they are convinced that intergovernmental cooperation will more than compensate for their loss of autonomy, most suburban communities will continue to resist superagency solutions.

Explains one Orange County official: "We are a county of stable Jeffersonian Democrats and Republicans who feel regional agencies, not close to the problem, would be passing judgment on matters of life and death to the community. A supergovernment is contrary to thought in America."

Successful experiences in metro government do exist, of course, in Jacksonville, Nashville, and Indianapolis, where city and county were consolidated. Each city now can achieve certain economies of scale—in purchasing, for instance—and can avoid unnecessary duplication of services in such areas as public safety. However, unusual conditions spurred these consolidations—official corruption in Jacksonville, a new, exciting, and Republican mayor in Indianapolis. Even in metropolitan areas where a large urban center dominates, as opposed to a totally suburban county, both suburbanites and inner-city blacks resist regional agencies.

"Suburbs want to control their own destinies," emphasizes Allen Fonoroff, a planner and chairman of a program in urban and environmental studies at Case Western Reserve University in Cleveland, the focal point of Cuyahoga County. "They don't want to share the problems of the central city. What reason does Shaker Heights have to give up its autonomy? It can provide the services its residents need."

Inner-city blacks, for their part, fear dilution of their growing power, especially in older Midwestern and Northeastern urban centers. In 1959, for example, an ambitious "Metro Plan" for

Utopia in suburbia

Cuyahoga Heights, a 52-year-old suburb that borders Cleveland, has a population of just 960 and, at $2.59 per $100 of assessed valuation, maintains the lowest property tax in its county. Yet the middle-class community maintains full-time 15-man police and 26-man fire departments, spends $1,000 for each pupil in its school system, picks up garbage regularly twice a week, elects a mayor who makes $14,200 and seven councilmen who make $2,700, and has two parks, a municipal pool, and a playground supervisor.

"If it were not for industry, we would have a part-time mayor, a volunteer fire department, and two policemen, just like a lot of other suburbs our size and bigger," says Mayor Stanley W. Klima. Indeed, Cuyahoga Heights developed for industry when its founding fathers seceded from another village reluctant to accept big business. It now houses within its borders plants of Republic Steel Corp., Harris-Intertype Corp., Ford Motor Co., American Steel & Wire Co., and others, which provide 90% of its tax base. Its residents willingly suffer the dislocations big industry brings—for example, traffic jams caused by the 30,000 people who work in town—because their services rank among the best in the country. It is a living example of one way suburbs can lick their fiscal problems.

Envy. Naturally enough, other suburban communities in the Cleveland area often complain bitterly about Cuyahoga Heights's low tax structure and its zealously guarded services. Klima rejects any suggestion that his town share its wealth in some system of cooperative regional government: "Our low taxes are part of our compensation for having the industry, three landfills, and the sewage plant." The sewage plant serves Cleveland, and for providing a site, Cuyahoga Heights treats and disposes of its liquid wastes free.

In an age when the gulf between local government and the people is growing, Cuyahoga Heights provides highly personalized service. Special garbage pickups are frequent. Streets are sprinkled regularly during hot summers and plowed quickly during snowy winters. The community even runs an employment service. And it probably has the only town hall in the nation with bowling alleys in the basement.

Dreams can turn real

Kids today, leaders tomorrow. They'll have an easier time dealing with the problems of racial and cultural misunderstanding because they'll know a lot more about other peoples, thanks to books, movies, TV and increased chances for personal contacts.

The Sumitomo "Fairy Tales of the World" pavilion at Expo '70 is dedicated to this understanding between children, just as Sumitomo Shoji activities in every corner of the globe do the same for their parents.

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One answer is tax reform and better distribution of present tax revenues

Cuyahoga County was narrowly defeated. The suburbs gave it 48% support, but blacks in Cleveland's ghettos rejected it 2-to-1.

Recommendations. Many metro government advocates believe that voluntary Councils of Governments (COGs) may be one way to convince city and suburb that a regional approach to many problems can pay off for both of them. But with no statutory authority and despite a push from Washington, COGs can only encourage, advise, and cajole their member localities to cooperate in the delivery of services. Most have stuck to such services as health, sewage, water, and public safety, and have steered clear of the more substantive questions—zoning and public education, for instance.

The Committee for Economic Development offered one recommendation in its report released earlier this year. It advocates a two-tiered system of government modeled after Toronto's successful experience, now 17 years old. A senior, areawide level would be given responsibility for the solution of truly regional problems, such as transportation and planning. Community districts would be assigned more routine tasks. The touchy zoning function would be shared. Says the CED: "In general, the metropolitan-wide level should specify broad areas of industrial, commercial, and residential activity which the local communities could zone into subareas."

Harried officials in most suburban communities, however, have been so concerned with attracting big tax revenue producers to service their burgeoning populations that they have had little time or inclination to dwell on broad land-use policies. Their efforts to introduce social heterogeneity have had to take a back seat to the need for schools, paved streets, police and fire departments.

One answer to such money woes, short of metropolitan government, is tax reform and better distribution of present tax revenues. In its "Agenda for the '70s," for instance, the Advisory Commission on Intergovernmental Relations recommends that states ease the burden on local property taxes by allowing municipalities greater flexibility for income and sales levies.

"Tax reform also is the simplest way to improve the planning mechanism," claims Shore of New York's Regional Plan Assn. "With relief from the property tax, people could concern themselves much more with the kind of community they want, not with balancing the tax roles with big ratables." ■

POLICY

SRC STAFF MANUAL 16
1962

HOURS OF WORK

The Council office is regularly open from 9:00 a. m. to 5:00 p. m. Monday through Friday.

SALARY PAYMENTS

The staff is paid by check on the fifteenth and the last day of the month. Whenever the fifteenth or the last day of the month falls on a Saturday, Sunday, or holiday, pay checks are written on the day preceding.

OVERTIME

The Council does not pay for overtime for professional personnel.

For other personnel, additional compensation at the individual's regular rate will be made at the next pay period. If the individual chooses, and if work schedules permit, compensatory time may be taken rather than additional pay. In either instance, a written record of the time worked and the preference of pay or compensatory time should be given to the Secretary-Treasurer immediately following overtime work. For all overtime work, permission must be obtained in advance from the employee's supervisor.

EXPENSES

Travel

Staff will be reimbursed for travel and actual expenses in connection with field work for the Council. Per diem in lieu of hotels, meals, tips, taxicabs, and related costs may be authorized.

Members of the Council will also be reimbursed for travel and actual expenses when attending official meetings or carrying out other duties as requested by the Executive Director of the Executive Committee.

Attached to this Manual is an SRC expense guide.

Incidental

If any member of the staff has to incur other expenses in connection with his or her official duties, the cost will be paid by the Council.

Moving

Where arranged beforehand, the Council may be responsible for moving expenses for furniture and household effects, but not personal transportation costs, for permanent employees one-way from point of origin to Atlanta. No moving expenses are paid by the Council on termination of employment.

For temporary employees, by prior arrangement, the Council may be responsible for transportation expenses to and from point of origin at the beginning and end of employment, but not moving expenses for furniture and household effects.

HOLIDAYS

The office of the Council is closed on the following holidays: (See Lloyd memo of 5/30/63 + memo of June 5, 1963)

New Years Day
~~Good Friday~~ Memorial Day (May 30) ~~Easter~~
Independence Day
Labor Day
Thanksgiving Day and the Friday following
Christmas Day and, whenever practical, Christmas Eve.

Whenever a holiday falls on Sunday, the following Monday may be taken. Holidays falling on Saturday may be observed upon the Friday before the holiday. Other special religious holidays may be observed by persons upon authorization.

VACATION AND SICK LEAVE

General: Each employee of the Council who is serving in a permanent status earns both vacation and sick leave at the rate of one and one-half work days for each full month of service. Vacation and sick leaves are not granted to temporary employees. A temporary employee who subsequently is employed on a permanent basis will be credited with any accumulated vacation or sick leave he may have accrued from the date of first employment.

Records are kept by the Secretary-Treasurer of all absences from the office on work days. A specific form is provided for this purpose. The individual employee, not the Secretary-Treasurer, is responsible for presenting written records of all absences on the first day of work following any absence. No charge will be made against vacation for absences on holidays, Saturdays, Sundays, or other non-work days.

An employee who is absent from the office on official business, or who is taking prearranged compensatory time, is not considered on leave.

Vacation: Employees of the Southern Regional Council may take vacation at any time that will least interfere with the efficient operation of the office. Requests for leave of any duration should be made in writing in advance to the employee's immediate supervisor and if approved, should be forwarded to the Secretary-Treasurer. Requests for leave of more than two days should, if at all possible, be made in writing at least 10 days ahead. This will allow time for securing approval.

If not taken, vacation may accumulate up to 24 work days, and if an employee resigns or is asked to resign, he or she will be paid for his accrued leave up to the maximum of 24 days, at his or her current rate of pay.

An employee who has accrued 24 days leave may take vacation during any year for a number of days which does not exceed the days earned during his or her current year of employment, or the days over 24 he or she has accrued, whichever is lesser, without having these days deducted from his or her 24 day accrual.

No vacation time or salary to be earned following vacation is advanced under any circumstances.

When employment is terminated, if accurate and full records are not on file, no accrued leave will be paid.

SICK LEAVE with pay is allowed whenever an employee is incapacitated due to sickness, injury, or when some member of his immediate family has a contagious disease, is seriously ill, or dies.

Notification of absence on account of sickness shall be given as soon as possible on the "Record of Leave" form provided.

Sick leave may accumulate up to a total of 49 days. Untaken sick leave beyond this total is forfeited.

If an employee has a serious illness which keeps him away from the office for a period of time beyond the sick leave accrued to his credit, the Executive Director may approve either of the following plans:

(1) Leave without pay, after all accumulated sick leave and vacation are exhausted.

(2) Sick leave advanced, up to 20 work days, with the understanding that the employee will remain with the Council until sick leave has been earned, or that adjustment will be made in final salary.

When sickness occurs within a vacation period, the period of illness may, upon written authorization, be charged to sick leave, and the charge against the vacation reduced accordingly. Applications for substitution of sick leave for vacation shall be made immediately after the expiration of the vacation period.

When an employee resigns, all accrued sick leave is forfeited at the time of resignation.

Maternity Leave: In cases of maternity leave, the Executive Director may grant leave of absence without pay for a period not to exceed eight months after all accrued sick leave and vacation have been taken.

Leave Without Pay: Leave without pay, for reasons other than sick leave, may be granted with approval of the Executive Director.

An employee returning from leave of absence without pay will be credited with any accumulated sick leave he had accrued when granted leave of absence.

Termination of Employment: If an employee resigns his position with the Southern Regional Council, a minimum notice of two weeks will be expected; if it is necessary to reduce staff, the employee laid off will be given at least two weeks notice. In instances of dismissal, where it seems advisable for the employee to leave immediately, he will be paid for the notification period.

As stated above, an employee whose services are terminated voluntarily or involuntarily will be paid for all of his accrued vacation at the time of his leaving. Any accrued sick leave is forfeited.

OTHER MATTERS

Where questions arise on any items not covered in this manual, the employee is invited to discuss them with the Executive Director. No information pertaining to official policy should be accepted from persons other than the Executive Director or his authorized representative.

SOUTHERN REGIONAL COUNCIL EXPENSE GUIDE

The following requirements and suggestions are given as a guide for SRC staff and others who incur expenses to be paid by the Council. The guide is not established to create severe restrictions or to curtail efficiency. Rather it is a reminder of our responsibility to use the funds available as effectively as possible.

TRAVEL:

Automobile: Reimbursed at the rate of .08 per mile. This amount includes all travel costs related to the use of the automobile except items as parking and tolls. Private automobiles should not be used unless common carriers would be more costly or not available or would not permit fulfillment of duties.

Air: Tourist accommodations whenever possible. Except in unavoidable circumstances, first class fares will not be paid between points where frequent tourist service is available.

Train: Coach accommodations on short and day trips. Minimum adequate Pullman accommodations for overnight travel.

Bus: For short trips, bus schedules should be checked. Frequently these schedules are as convenient, and no more time consuming, than available air schedules.

Airport Limousine: Should be used at all times rather than taxicabs, except in unavoidable circumstances.

Auto Rentals: Should be used as little as possible. Except for those persons with SRC auto rental credit cards, this service should never be used without prior permission.

Hotels: Reservation requests should always stipulate, "minimum available rate." Generally, room service charges, laundry, and like expenses will not be honored.

Taxicabs: Please use this service as sparingly as possible. However, note that heavy use of taxicabs where necessary is often cheaper than car rental.

Meals: No set formula. Generally, $1.50 for breakfast, $2.00 for lunch, and $3.50 for dinner are considered maximum-adequate amounts. It is recognized that costs in, e.g., New York may be somewhat higher and those in a small southern town or city may be somewhat lower.

OTHER:

Travel costs or any portion thereof for spouses are not honored.

Hotel bills, tickets, and other available supporting data should always be submitted with expense accounts.

Entertainment of others is not encouraged.

Requests for reimbursement of expenses should be made on the regular SRC expense form. If this is not convenient, the request should indicate the purpose, destination, and date(s) expenses were incurred and similar information.

Travel advances are available on request to the Secretary-Treasurer.

If not taken, vacation may accumulate up to 24 work days. Accrued vacation in excess of 24 days will be forfeited.

If an employee who has accrued maximum leave (24 days) takes a vacation, the amount of time taken will be subtracted from the total and additional vacation time will be earned at the regular rate of 1½ work days per month. (For instance, if an employee with 24 days accrued leave takes a 10 day--two week--vacation he will then have 14 days accrued leave remaining and will need to work thereafter for 7 months before his maximum accrued leave has again been reached.)

No vacation time and salary therefor--to be earned following vacation--is advanced under any circumstances.

If an employee resigns or is asked to resign from his position he is entitled to receive pay for all of his accrued vacation which has not been taken (up to 24 days) up to and including the date of his leaving.

When employment is terminated, if accurate and full records are not on file with the Secretary-Treasurer, no accrued leave will be paid.

Sick leave with pay is allowed whenever an employee is incapacitated due to sickness, injury, or when some member of his immediate family has a contagious disease, is seriously ill, or dies.

Notification of absence on account of sickness shall be given to the Secretary-Treasurer as soon as possible on the "Record of Leave" form provided.

Sick leave may accumulate up to a total of 48 work days. Untaken sick leave beyond this total is forfeited.

If an employee has a serious illness which keeps him away from the office for a period of time beyond the sick leave accrued to his credit, the Executive Director may approve either of the following plans:

1) Leave without pay, after all accumulated sick leave and vacation are exhausted.

2) Sick leave advanced, up to 20 work days, with the understanding that the employee will remain with the Council until sick leave has been earned, or that adjustment will be made in final salary.

When sickness occurs within a vacation period, the period of illness may, upon written authorization, be charged to sick leave, and the charge against the vacation reduced accordingly. Applications for substitution of sick leave for vacation shall be made immediately after the expiration of the vacation period.

NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS

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Since November 15, 1967

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Name in full Moreland Griffith Smith, FAIA

1. I have acquired registration as an architect in additional states. Yes ☐ No ☒. If yes, list the additional states and certificate numbers

2. I have voluntarily allowed a previously acquired registration to lapse. Yes ☐ No ☒. If yes, list the states Not this year

3. I have been an employee for the period covered. Yes ☒ No ☐. If yes, supply the following information:

4.

Names and Addresses of Employers	Dates of Employment From	To	Description of Major Responsibilities
Southern Regional Council	1965-8		Director, Urban Planning
5 Forsyth Street NW Atlanta Georgia 30303			Research

If more than two separate employments have been involved since 15 November 1967, continue and complete the listing on an attached page.

5. I have practiced architecture as a principal. Yes ☒ No ☐. If you are other than an individual practitioner or a general partner, officer or director in an architectural firm your answer to this item should be "No". If your answer is "Yes", also answer Items 6, 7, 8 and 9.

6. I, or the firm of which I am a principal, was the architect for the following projects, construction of which was completed since 15 November 1967. (List only those projects for which you or your firm were the sole architects. Do not list projects in a state in which you were not personally registered.)

7.

Project and Location—City and State	Name and Address of Client	Approximate Cost
Dormitories, Tuskegee Institute, Ala	Tuskegee Institute	1,000,000

8. My practice as a principal has been on a full-time basis, and with the same firm as of 15 November 1967. Yes ☒ No ☐.

If no, explain

9. My status with the firm is the same as on 15 November 1967. Yes ☒ No ☐ If no, explain

The undersigned deposes and says that he is the architect named above and is the person making the foregoing statements and that they are made in good faith and are true in every respect.

Signature

19 November 1968
Date

Form 117-68

Return one copy of this form to the Council Offices with the renewal fee, and the signed copy of the renewal notice. Clearly typewrite the copy returned to NCARB or use black drafting ink.

February 17, 1969

Mr. David E. Epperson
Executive Director
Community Action Pittsburgh, Inc.
921 Penn Avenue
Pittsburgh, Pennsylvania 15222

Dear David:

Thank you very much for your letter of February 12, 1969. The check covering travel expenses is enclosed herewith.

We will be looking forward to receiving your response to the conference. In the meantime, would you indicate on the attached, your social security number and return it for the accountants records.

Thanking you very much, I am

Sincerely yours,

Moreland Griffith Smith
FAIA
Director, Urban Planning Project

MGS/mv

encs: 3

COMMUNITY ACTION PITTSBURGH, INC.
921 PENN AVENUE, PITTSBURGH, PENNSYLVANIA 15222 • 412-391-6300

February 12, 1969

Mr. Moreland Griffith Smith
Director, Urban Planning
Southern Regional Council, Inc.
5 Forsyth Street, N. W.
Atlanta, Georgia 30303

Dear Moreland:

I was very pleased to meet with you and Southern Regional Council Staff on January 31, 1969. It was also very enlightening to know just what is happening in the South as it relates to urban planning and to find the vigorious manner in which you are working in trying to fight the problems through various resources,

I will be sending you more information concerning my response to the conference shortly.

Enclosed you will find my expense statement for the conference.

Sincerely,

Dave

David E. Epperson
Executive Director

DEE:mj

Enclosures

Dear David
Thank you very much for your letter of 12 February. The check covering travel expenses is enclosed herewith.
We will looking forward to receiving your response to the conference. In the mean time would you indicate on the attached your Social Security Number and return for the OPER

Accountants Records. Thanking you

very much, I am,

Sy

AW

Trust Company of Georgia

POST OFFICE DRAWER 4655

Atlanta, Georgia-30302

TRUST DEPARTMENT

October 9, 1969

(1) Paul for info
(2) MHS
To Files

Mr. Moreland Smith
Southern Regional Council, Inc.
5 Forsyth Street, N. W.
Atlanta, Georgia 30303

Dear Moreland:

Following up our recent conversation regarding the possibility of a travel grant for a member of your staff, I wish to advise that this was discussed very carefully at the meeting of the Donations Committee of the Trust Company of Georgia Foundation. While we are very sympathetic with what you wish to do, we must decline as being outside of our area of interest. I wish that such scholarship funds were available and hope that you are able to find the necessary money to further Mr. Campbell's training.

Kindest regards.

Sincerely,

AB

A. B. Padgett, Secretary
Donations Committee
Trust Company of Georgia Foundation

ABP:bb

October 13, 1959

Mr. A. B. Padgett, Secretary
Donations Committee
Trust Company of Georgia Foundation
Trust Company of Georgia
Atlanta, Georgia 30303

Dear A. B.:

Thank you very much for your letter of October 9th. We of course are disappointed that your committee could not see their way clear to fund Mr. Campbell's travel grant. We do, however, appreciate you giving this your detailed consideration.

Hoping to see you again soon, I am

Sincerely yours,

Moreland Griffith Smith, F.A.I.A.
Director, Housing and Planning Project

MGS/mv

Panel Discussion - SRC Annual Meeting - November 6, 1969

DR. LUCIUS PITTS

I want to be my son. They say a child shall be father to man. I want to play Lucius. He's 20 years old with one of those things, and a beard. We rap every night.

I want to pick on the professor.

Lucius would say, "You said public accommodations, now, yeah, but right after Slavery public accommodations could be equally measured with the freedom of the black man to move from one place to the other without pass. You say health services. Now, Negro doctors can go to the hospitals where they want to go to, but, eh, you ain't got no Negro doctors, you won't let 'em in, the tests are too high. You talk about Negro cashiers. Now, eh, in certain places down in Louisiana there're Negro cashiers. Right after that, not only cashiers in good places, but cashiers in fun places, too, you know. So, you ain't sayin' nothin' to me. You talk about the school system, and what about Negro schools, and Negroes can go to white schools, but the Freedom -- what was that group called, the Freedmen's Association, the Rosenwald Fund, right after Slavery? They did that. That's nothin' new. And, you talk about integration or desegregation of schools, but the desegregation moves all one way. You're saying to me, as a young black man, that the only way you can make desegregation... that the only viable desegregation is to move black people into white schools. But, what about moving white people into Negro

schools? And, then, what happens to those Negro schools that are left when you take 14 or 15 kids out of the one school, and what you/re doing in the South is taking my best teachers out of Fairfield High School, where I just finished. And, you send all the best English teachers, and the best counselors, and the best Math teachers over to the white school. Now what we gonna do with these puny,little, scared white boys who come up here to teach, and they're scared of us black boys? So they ain't doing no good. You're talking about a Negro mayor, Negroes in political positions... well, my daddy said something about the legislators in South Carolina started public education, you know. You ain't saying nothin' man, really."

Now, let me talk a little bit like me.

I had a reaction to Mr. Chambers. I think he said almost what I wanted to say, but Lucius would have said: "Man, you don't talk like no, no, young black lawyer. You know, you too cool and sophisticated -- tell it like it is. You say we never completed the first Reconstruction. Agreed. We ain't had the first RE construction. That the white folks, all they did was right after Slavery was to give the black boy chance to fool himself and to cool him down so he wouldn't kill all the white folks on the plantations. That wasn't no Reconstruction! And, you say this administration didn't

bring in the second Reconstruction. Right! It ain't brought in nothin!"

Seriously, and I'm serious. I live with a thousand young black people. I say maybe no and yes. And I made a little chart here, but I won't go into the details of it. But, we may not be facing a second Reconstruction if the Southern Regional Council would do one thing that Mr. Youngdahl says, and that is, I believe you made a statement about massive and major re-evaluation. That, as far as I'm concerned is the only hope... that we don't face something worse than the Reconstruction. And, if Southern Regional Council -- and my son would have to play the second character -- he would say, "If Southern Regional Council is serious about this, then you're going to get some young people in here, and some purple people, the people, people -- at the very grassroots, who may not speak as articulate as somebody else. I'm not an educator, you know what I am. But, I think, unless this happens....

Now, let me finally say that I believe that the young black people in America think that they face something worse than a second Reconstruction. They verbalize as best they know how. But, I think I think, when I hear the young and what they verbalize, that they're saying what frightens me. What they're saying, you know, is "Let's cop out of this, there is no hope." And, my 20-year-old son, who is a college sophomore

argues with me night after night in a pleasant fashion has taught me more in the past eight months than I could have learned in twenty years in a university. The reason we haven't had a major disaster on Miles College Campus is that I argue with Lucius each night. In the midst of the arguments sometimes he lets slip what's about to happen. And, when he lets it slip, I keep on arguing with him but I put that one down, and when he goes back to his room I pick up the telephone and call the Dean of Students and say, "I want to meet these five people with you, tomorrow." This is sneaky. But, they are disenchanted with the system. And, they're disenchanted with due process, except when it concerns them. They want due process when they're involved. But, they don't believe in due process, Hollowell, otherwise. It's for the kids. And, Lucius says to me, "Daddy, what have you got to show for your 40 years of being an 'Uncle Tom?' Have you got any money? You have any prestige? Bull Connor is gone, but the power structure downtown in Birmingham, they don't recognize you." He said, "Don't you know you're co-chairman of a committee with the President of South Central .... ain't you got sense enough to know what the white folks doin' to you? They bought you off! And, they know if you get involved in dialogue that you're gonna stop rapping. And when you stop rapping, the back people in Birmingham they decide there's no hope."

Now, my final statement is I frankly think that we're facing something worse than the first Reconstruction or the second because there're no more "red necks," they talk like scholars — you know. They don't talk like, "Y'all oughta get this ready." No, you don't know whether he's from the South or North. He's sophisticated. And the genocide which young people, black young people, feel -- they're talking about physical genocide -- I'm not afraid of physical genocide. I'm afraid of the other kind of genocide -- the intellectual genocide. The genocide that takes not the blood and bone, but takes the mind and spirit of the black man.

If I were to tell Miles College students how painful I feel, and how frustrated. And, I make one instance. The Federal Government, corporations, and foundations say they're interested in equal opportunity for <u>people</u> and we cut back for poor people! Sometimes it 's good to see somebody poorer then you are. You know, I worked in North Carolina and went up in the mountains, up about Junaluska, and found these mountaineers who had never been out. And, frankly, I felt good. Now, that's evil, but I felt good ~~&&&~~ that here's somebody worse off than me. But, the Federal Government is joking about -- particularly when you're talking about the black man -- the Federal Government <u>really</u> does not intend....

I frankly think that what the power structure and this present administration have done, is to move into a sophisticated position. They articulate well. They plan programs. The massive amount of papers that you get to get one clean program in and funded for poor people, or for black people, takes months. And, when you get through and finally finish all the reports, you haven't got anything, and the poor people who are hungry, are still hungry. One instance. The Federal Government claims it's interested in equal opportunity and because I work in an educational situation in 1967, I believe it was, 100 institutions in America got 85% of all the federal money -- 100 -- and one black institution in that group. What was it? HOWARD! Now, this is a joke to me!

With "Tricky Dick" up there -- and I'm talking like Lucius now. With "Tricky Dick" up there, I'm glad I'm 54 years old. I could not contain my saneness. And, if I were black as I am, and knew what I know from 54 years, and had to be 18 years old now, I'd tear this place up!

HOUSING FOR THE 70's: THE IMPACT OF EXCLUSIONARY LAND-USE AND BUILDING CONTROLS

(A conference to examine the restrictive use of zoning ordinances, building codes, financing, taxation, and other policies and practices which impede development of an adequate housing supply.)

Co-sponsored by National Committee Against Discrimination in Housing (NCDH) and New Jersey Builders Association (NJBA)

Thursday, November 6, 1969
Somerville Inn, Route 22, Somerville, New Jersey

WORKSHOP #2

Impediments of Restrictive Laws and Codes to Development of Housing and Needed Technology

Some Suggested Questions for Discussion.

1. New Jersey's population increased by over one million between 1960 and 1968 (6,066,782 to 7,203,510) at an annual average increase of 142,000. It is estimated that over two million more will have been added by the end of the 1970's. In view of New Jersey's relatively limited land area (it is already the nation's most densely populated state), should the responsibility for providing living space for our increasing population be primarily at the state level or at the municipal level?

2. The State Department of Community Affairs has made a study which finds that we need to add 81,000 housing units annually to meet the needs of the State's growing number of households. We are

currently producing about 36,000 housing units per year, leaving a gap of about 45,000 units, resulting in an increasingly severe housing shortage. The stepped-up rate of family formations is just beginning, reflecting the increased birth rate of the late 1940's and early 1950's.

If problems of mortgage money and rates were solved, could the building industry more than double its production in New Jersey under present zoning, subdivision and building controls? In what way do these impede the building industry's ability to supply the State's housing needs?

3. Can impediments in local controls be removed by a campaign of public education directed at the elected officials and taxpayers in suburban communities? Or is it necessary to assert the rights of homeseekers to shelter by legislative reform of the enabling laws which grant land use and building controls to municipal governments?

4. What has changed since the early 1950's to preclude resumption of construction at volumes achieved then?

5. Can residential building take place in New Jersey at the scale, through the management forms, and by the mass production techniques proposed by Operation Breakthrough? What would have to be changed in land and building control procedures to enable Operation Breakthrough to work in New Jersey?

6. What influences can the Federal government bring to bear on local government to persuade it to cooperate with housing goals and programs established by Congress? Should Federal grants and

other assistance be withheld from non-cooperative communities? Should the State government do likewise with school, local road and other financial aid?

7. Should state enabling laws be revised to place an upper limit on (a) lot sizes or (b) the percentage of a municipality's land area that can be zoned for lots of more than 10,000 sq. ft.

8. Should state law make it mandatory for each municipality to zone a stated percentage of its land area for multi-family or town-houses?

9. Should Cluster Design and Planned Unit Development be mandatory for municipalities under State law, if they are within the density limitations established by local zoning?

10. To what are exclusionary land use practices mainly attributable? Status consciousness ("snob zoning")? Race consciousness (the effort to exclude Negroes by excluding housing for families with less than an average income)?

11. Would passage of the proposed new land planning law (S-803) reduce current misuse of local powers to control land development to exclude housing for families of low and moderate income?

NEW JERSEY BUILDING PERMITS ISSUED (1960 - 68):

Year:	Total:	Single Family: No.	Single Family: % of Total:	Multi-family: Private:	Multi-family: %	Multi-family: Public:	Multi-family: %
1960	41166	30690	74.6	9413	22.9	1063	2.6
1961	46936	29555	62.9	14042	29.9	3366	7.2
1962	46655	29025	62.2	17136	36.7	494	1.1
1963	54488	28685	52.6	25118	46.1	685	1.3
1964	68078	27673	40.6	39187	57.6	1218	1.8
1965	64933	30675	47.2	32546	50.1	1712	2.6
1966	50163	23868	47.6	23971	47.8	2324	4.6
1967	46958	24380	51.9	20842	44.4	1736	3.7
1968 **	43661	23781	54.5	17331	39.7	2549	5.8
Totals:	420,524	221,054	52.6	185,929	44.2	13,541	3.2

* "Private" includes 2-family, 3-4 family, 5 or more family.

** Adjusted to include only 1/2 of 1960 and 1/2 of 1968 to permit comparison with population increase of 1,136,718 between the U. S. Census (April, 1960) and the State's population estimate on July 1, 1968.

Source: New Jersey Department of Labor and Industry

Building Codes As an Impediment to Housing and Needed Technology

Discussion notes for Workshop #2 prepared by Philip J. Cocuzza, Executive Vice President, New Jersey Builders Association

It has become abundantly clear that the foremost problem we face concerning building codes is the multiplicity of them authorized by the various communities throughout the state of New Jersey. Of the 567 municipalities in New Jersey, 90 use the BOCA code, 80 use the state code, 77 use the National code and the balance of 320 communities either have their own local code or in some half dozen cases no building code at all.

The multitude of codes becomes further compounded when a Multi-Family Project is to have FHA insurance. Such a project must then comply with the housing code of the FHA, the New Jersey Department of Community Affairs' rules and regulations, and the local municipality. This results in the need to meet three separate fees and approvals which often conflict with each other.

In addition to this superabundance of codes, matters are further complicated by the fact that, in the main, these codes are not kept up-to-date with the latest developments in technology. Thus, the residential building industry finds itself unable to keep up with housing demands even though new technology would be of great benefit in fulfilling this need. The new technology which does exist would not only assist in speedy production but would have the added major benefits of helping to reduce costs, improve the materials used, resulting in better homes at a savings for the buying public.

Many of the local building codes have requirements injected into them as the result of personal prejudices or biased vested interests. An example: One local code in New Jersey states that "minimum size floor beams for residential construction shall be 2" x 10" at 16" off center." This one statement adds $150.00 of unneeded cost to a small ranch house which could have used 2" x 8" floor beams. Not incidentally, the requirement of 2" x 8" floor beams was established by qualified code specialists and not just arbitrarily instituted.

These, in a very cursory way, are some of the major problems the building industry faces as a result of archaic, outmoded and restrictive building codes. One obvious answer to the problem would be the adoption of a state wide building code. A single state code could be administered by a qualified staff and kept current with technology as it develops. We feel also that such an administrative setup would be further removed from the possibility of political pressures than the system now in use.

With adoption of a single building code, a more rapid development of technology would be possible. Currently, manufacturers are loath to develop new products since they are aware of the battle that awaits them in trying to obtain approval of their new products. It seems patently obvious that with a more viable system for approval of new products, a greater incentive would be offered the manufacturer.

With the adoption of these recommendations, residents of New Jersey would find housing of a higher quality, at a lower cost, and more readily available. Of course, the other problems such as restrictive zoning and inability to obtain mortgage financing at reasonable rates must also be solved.

HOUSING FOR THE 70's: THE IMPACT OF EXCLUSIONARY LAND-USE AND BUILDING CONTROLS

(A conference to examine the restrictive use of zoning ordinances, building codes, financing, taxation, and other policies and practices which impede development of an adequate housing supply.)

Co-sponsored by National Committee Against Discrimination in Housing (NCDH) and New Jersey Builders Association (NJBA)

Thursday, November 6, 1969
Somerville Inn, Route 22, Somerville, New Jersey

WORKSHOP #3

Employment Location and Housing Choice

Some Suggested Questions for Discussion.

I. From the Employers' Point of View:

1. In considering applicants for employment, do employers favor local residents? Do employers establish, formally or informally, a maximum travel distance beyond which you do not consider applicants? Does this vary with skill level or executive position? Does distance of employee's residence from plant affect absenteeism and tardiness? Does it affect turnover?

2. Are some positions difficult to fill in offices or plants located away from core cities? What steps are usually taken to overcome such labor shortages? Busing from core city? Offering higher wages? Employing local housewives parttime?

3. In considering a suburban plant location likely to create housing problems for their work force, are employers prepared to

use your leverage with the local governing body, which solicits them for prospective ratables, to influence it to rezone (or do whatever else it can) to enable housing to be built to suit employees' needs?

4. Before locating in a new area, are employers in a position to provide builders and realtors with comprehensive information on employees' housing needs? Has this been done, to you knowledge, by plants prior to moving?

5. Are corporations moving to new locations prepared to offer loans to builders who agree to construct housing of the type and volume needed? Are corporations prepared to buy land suitable for housing and lease it to builders on long term? Are corporations prepared to lease newly-built apartments in quantity to sub-let to their employees? Are corporations prepared to underwrite mortgage loans of employees who encounter problems in securing financing?

6. Are employers prepared to join with builders and other groups in court action to challenge exclusionary practices by local government? Would they offer expert testimony on the effect of exclusionary practices upon labor markets and the development of the economy?

7. Are employers prepared to advise and counsel those of their employees who are discriminated against in securing housing on grounds of race? Are employers prepared to support such employees in making and pursuing complaints before State Boards and in the courts? Do employers prefer to avoid hiring those of ethnic minorities to avoid involvement in housing law enforcement

cases in communities that have never welcomed minority families previously?

II. From the Builders' Point of View:

1. If builders have advance information on employment location, is it feasible for them to build housing designed to meet salary and wage levels and number of units indicated?

2. Would builders value a close working relationship with large employers seeking office and plant sites in their territory?

3. Does "Operation Break-through" afford new opportunities for employer-builder collaboration in supplying housing for industrial growth areas?

4. Do builders who construct housing for moderate income families fear being blacklisted by municipalities whose approval they might need for future projects?

III. From the Real Estate Brokers' Point of View:

1. As part of the local community leadership in a suburban area, devoted to maintaining its patterns and practices, can broker be of service to an incoming plant which seeks help in expanding the supply of housing for blue collar workers, and minority employees generally?

2. As professionals in real estate do brokers advise local governing bodies and planning boards that it is not feasible, in the long run, to zone for industries if they consider industrial employees not to be welcome as local residents?

3. In view of the growing housing shortage and its depressing effect on real estate activity, what does the real estate

profession suggest to employers, builders and homeseekers as a plan of action to make a breakthrough to housing growth in suburban areas experiencing expanding employment opportunities?

IV. <u>From the Suburban Municipal Officials' Point View:</u>

1. What is the basis of opposition to moderate-cost housing in suburban communities? That tax-yield is not commensurate to costs of municipal services? That such housing is incompatible with the "character of the community?" That residents of such housing would be socially incompatible with present residents?

2. What is the minimum assessed value of a one-family house that "pays its own way" in an average suburban community?

3. What is basis of opposition to multi-family housing? To town-houses?

4. In municipalities whose zoning provides for multi-family housing, what is basis of objection to state-assisted middle income housing, Federal 221 (d)(3)s rent supplements, etc.?

5. Would you favor an amendment to the State's zoning enabling legislation which would place a limit of 100X100 on maximum lot size requirements in zoning ordinances? What would be the effect of such a limitation?

6. Would you favor an amendment to the State's zoning enabling legislation which would require that every municipality zone for a reasonable proporation of multi-family units based on need as demonstrated by local employment opportunities?

7. In view of the growing inability of municipalities to cope with rising budgets by manipulating land-use controls (i.e.

zoning for industrial ratables and zoning against housing for wage workers), would you favor having the state assume local school costs (up to $600 per pupil) in return for giving the county and state a voice in local zoning, subdivision and building codes?

V. <u>From the Employees' Point of View:</u>

1. Which does the employee look for first, the house or the job?

2. Does the lack of housing opportunity in suburban areas inhibit opportunities for employment in those areas? Or is travel to job from a core city merely an inconvenience?

3. Would employees buy or rent in a location where the job they have (or will hold) is for the only employer with whom they can hope to find accessible employment from such place of residence.

4. Do employees have objections to being dependent in any manner upon their employer for housing (i.e. a loan or underwriting of mortgage)?

5. Would employees consider those whom they find compatible as associates and fellow-employees at their place of work to be also compatible as neighbors and fellow-citizens of their communit.

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Thursday, November 6, 1969
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WORKSHOP #4

Taxation and Housing Finance

Outline of Remarks by Thomas V. Seessel, Executive Director of the New Jersey Housing Finance Agency.

Two recent national studies - the Kaiser Report and the Douglas Report - have come to the same conclusion: we need to produce about 2.6 million new and rehabilitated housing units each year for the next decade if we are going to meet the need.

Included in this figure would be 500,000 to 600,000 new and rehabilitated housing units annually for moderate and low income families.

The first year of the decade projected in those reports has almost slipped away, and the sad reality is that instead of 2.6 million housing starts a year, the adjusted yearly rate for housing starts has fallen to about 1.3 million. Some have predicted that the annual rate may yet fall below the 1 million mark.

One reason for the growing housing shortage is the cost of money and its availability on the conventional market. Interest rates on conventional new home loans have reached an average of 8.25 per cent.

Other underlying factors include escalating construction costs, rapid up-zoning of land which puts it out of the moderate and lower income housing market, and high property taxes.

New Jersey is our most urbanized state, and it reflects in microcosm the situation in the Nation. Studies conducted by the New Jersey Department of Community Affairs show that there is an annual gap of 36,000 housing units between the 45,000 we are currently producing and the 81,000 we need.

This is where the New Jersey Housing Finance Agency (NJHFA) can come in. We were created in 1967 to provide construction and permanent mortgage financing for multi-family moderate income housing in all parts of New Jersey. The agency makes mortgage loans to non-profit and limited dividend housing sponsors for long terms.

We can lend money now in the neighborhood of 6%. This interest saving is passed on to eligible families in the form of lower rents for middle and moderate income families.

In addition, the Agency has obtained a large amount of federal rent reduction assistance funds which enable us to reach families with annual incomes of as little as $2,000 annually.

But there are problems to be faced even with our program. Apart from the fact that the rise in interest rates and land and construction costs affect our program, there is the problem of the local property tax.

Although communities in which the Agency finances housing must pass a "resolution of need for moderate income housing" before we can come in, there is no requirement that they grant tax abatement. Yet, in all cases to date, we have had to ask the communities where we build to grant such abatement, as a counterweight to rising costs. A subsidy is thus provided by the locality the level of government least able financially to provide subsidies. Ways must be found to shift this burden to state and federal governments, and off the backs of local property tax payers.

- -

Some Suggested Questions for Discussion.

1. To what extent have builders and developers utilized the New Jersey Housing Finance Agency Program? What shortcomings do builders contend hampers their use of this program?

2. Which income groups have been priced out of the market for one-family homes by the mortgage interest rate increase from around 6% to around 8%?

3. Are the construction limits under the 235 and 236 programs of the Housing Act of 1968 feasible in New Jersey? What proportion of housing needs can be satisfied by 221 (d) (3)?

4. Is increased multi-family construction an answer to the housing needs of those families priced out of ownership of single family homes? Does this argue for zoning of additional land for multi-family use?

5. Would adequate funding of the rent supplement program encourage multi-family construction, especially in the suburbs?

6. Should FHA approval of multi-family projects require that they be designed to rent at levels that correspond to local housing needs generally, rather than for the upper income families only.

7. Can better planning of land utilization be encouraged through revised tax policies? Should present ratios of assessment for land and improvements be altered?

8. Property taxes increased 9% in New Jersey between 1968 and 1969. If taxes continue to rise at the present rate, what will be its effect upon the ability of families with less than average income to continue to own homes (Mean income for New Jersey households in 1963 was $7,940.)?

Somerville Inn
Nov. 6, 1969

LAND-USE LIMITATIONS - LEGAL ISSUES

WORKSHOP #1

Background

In English and American law there have been limitations on the manner in which an owner of real property can use his land from time immemorial. Examples of such limitations are the law of easements, the law of nuisance and the enforcement of restrictive covenants against certain uses which would prevent neighboring property owners from the full enjoyment of their property.

It was only in the beginning of the twentieth century that the legal doctrines, which supported the establishment of fire codes for buildings and health codes as aspects of exercises of the police power, were extended to sustain the right of local governing bodies to impose much broader limitations on the use of land through zoning and building code regulations. The Supreme Court's decision in 1926 in Village of Euclid v. Ambler Realty upheld regulation through zoning as a constitutional exercise of the police power.

Factual Background

The concept of zoning regulation upheld in the Euclid case, which supported the right of a local community to designate permissible land uses throughout its jurisdiction, has been utilized to build economic and racial walls of segregation. Thus, it is now the established pattern for local communities throughout the country to limit large areas of land for the exclusive construction of single-family detached homes, to specify minimum sizes for lots on which such single homes can be built, to require minimum space per occupant, minimum setbacks and minimum vacant land requirements in residential areas, and to impose a host of other requirements designed to increase construction costs and limit residential densities.

The clear effect of this pattern of zoning limitations has been to exclude the poor, a disproportionate percentage of whom are racial and ethnic minority group citizens, from suburban areas and to block alternatives to and remedies for ghetto residency. Exclusionary zoning techniques enable the barring of the black, the brown, and the poor from specific portions of towns, villages and cities, and from entire suburban communities and represent an effective alternative to outlawed racial zoning and racial restrictive covenants.

Queries for Discussion

1. May a local community through the use of zoning ordinances, building codes and other devices restricting land use establish a system which forces lower-income and minority group persons to reside in limited geographic sections of that community?

2. May a local community by using land-use techniques advantage itself at the expense of neighboring communities in terms of excluding poor persons from the community, thus imposing on neighboring communities the added tax costs implicit in the care and assistance of the poor?

3. To what extent may the delegation of police power embodied in the authority given local communities to establish zoning ordinances, planning codes, building codes, health codes and fire codes be used for the private advantage of some of the residents of the community?

4. To what extent is a state required, under state and Federal constitutional provisions, to prevent the misuse of delegated police powers in the areas of zoning and planning? Is a state's civil rights policy relevant?

5. May a state or community avoid its constitutional responsibility by making zoning decisions subject to a referendum vote?

6. Are current building code and zoning requirements consistent with the constitutional right to own and utilize property as protected by the due process clause of the Fourteenth Amendment?

HOUSING FOR THE 70's: THE IMPACT OF EXCLUSIONARY
LAND-USE AND BUILDING CONTROLS

CONFERENCE

Thursday, November 6, 1969
Somerville Inn, Route 22, Somerville, New Jersey

STATEMENT OF POLICY - NEW JERSEY BUILDERS ASSOCIATION

Home builders are engaged in an ancient calling in the provision of shelter. In essence, they provide housing - a way of life. It may be a single family residence, an apartment or a town house. Whatever its form, housing in urban surroundings is the key to patterns of environment which include within their scope all of the structures and amenities required for daily living.

Home building in New Jersey enters 1970 facing the greatest demand and need for housing in all history. Increased production is the essential ingredient in any formula for the solution of the housing problems of our state. Without this vastly increased production, the housing aspirations of many of our people will continue unrealized.

The problems which impede housing production are not new. Only in degree are they more acute. So severe are the policies of exclusionary land-use in New Jersey that in garden apartment construction 80 percent of new units are limited to one-bedroom with the remainder allocated to two-bedroom apartments. Four-bedroom apartments are not permitted.

Such selfish sovereignty by municipalities drastically reduces the effectiveness of programs to house thousands of low and moderate

income families now living in sub-standard dwellings. The emergent nature of this situation is starkly reflected in the fact in nine counties with urban centers there are close to 600,000 living units whose structures are older than thirty-years. Of this number, some 300,000 are either deteriorated or dilapidated.

If we are to implement our resolve to eliminate inadequate housing as a root cause of disunity and unrest, we must remove the long-standing obstacle of exclusionary zoning which continues to thwart the productive energies of the great New Jersey building industry.

The full strength, experience and resourcefulness of home building must be unshackled by appropriate land-use revisions. Uninhibited by obsolete rules and practices, the home builders of New Jersey can truly make of our environment a responsive setting in which the people of New Jersey can flourish to the fullest.

NBJA PRESIDENT
SAM HERZOG

NEWS FROM NCDH

NATIONAL COMMITTEE AGAINST DISCRIMINATION IN HOUSING, INC. 1865 BROADWAY, NEW YORK, N.Y. 10023 (212) 265-2781

STATEMENT OF JACK E. WOOD, JR., Executive Co-Director, NCDH at 9:30 a.m. Opening Session, Thursday, November 6, 1969 at the Conference Cosponsored by the National Committee Against Discrimination in Housing (NCDH) and the New Jersey Builders Association (NJBA) in Somerville, New Jersey

Local governments today have power to exclude subsidized moderate- and low-cost housing. They can manipulate zoning and other land-use and construction controls to exclude families on the basis of income and, in effect, because of race. So long as these local powers remain unchecked, an America of two nations--"one black, one white, separate and unequal" will be maintained and its divisions deepened.

Suburban power to block residency by low- and moderate-income families effectively bars for most minority families exercise of their legally guaranteed right to an open housing choice. Further, this power means the nation cannot meet its stated goal and essential need for majority and minority construction of 2.6 million homes a year for the next 10 years. Apart from other considerations, land costs and relocation demands make a housing and urban development strategy that is centered in the core city alone irrational and ultimately self-defeating.

NCDH with racial discrimination in housing declared unconstitutional everywhere by the Supreme Court, now is marshalling the resources it had committed to that struggle and those of its 51 national cooperating organizations to make a man's right to live where he wants to live a reality.

STATEMENT OF JACK E. WOOD, JR.
Somerville, New Jersey
November 6, 1969

NCDH is engaged in a major nationwide assault on exclusionary local zoning and other land-use and construction controls which effectively bar the vast majority of black, Mexican-American, Puerto Rican, Oriental, and Indian families from exercising their right to choose where they live...and to choose to live where they can share with white Americans in cleaner air, better schools, and a rapidly expanding job market.

At NCDH, even as we worked to provide technical assistance and legal resources for the struggle which finally resulted in the U.S. Supreme Court's outlawing racial discrimination in housing throughout the land, were concerned about the vital interrelationship of jobs and housing. In 1965, the new chairman of the new Federal Equal Employment Opportunity Commission addressed an NCDH National conference at which we explored the inseparability of open jobs and open housing.

Subsequently, NCDH conducted a preliminary study of "The Impact of Housing Patterns on Job Opportunities." That study resulted in a $480,000 research program in the tristate metropolitan New York-New Jersey-Connecticut area under a grant from the Carnegie Corporation of New York. Then NCDH received a $450,000 U.S. Department of Housing and Urban Development funding for an urban renewal demonstration project in the nine-county San Francisco Bay area.

Both research projects in these most important metropolitan areas focus on the housing choice and supply barriers which close large portions of the job market--the suburban and growing portions--to minority workers.

STATEMENT OF JACK E. WOOD, JR.
Somerville, New Jersey
November 6, 1969

From both projects will come recommendations for policies to be carried forward by government, by industry, by labor, by community and civil rights groups.

The San Francisco project has an action as well as research component and alternate recommendations for action by these segments of society will be tested for feasibility of their application in the Bay area and in other areas across the nation.

But pilot projects and research are not enough. Men, women, and children are being wrongfully denied the right to move, to enjoy quality education, to find better jobs, to participate in the growing suburban segment of America which is financed by billions of Federal tax dollars invested in products of suburban industry, construction of bridges, highways, sewers, and every other kind of large and small community facility.

As one participant said at a recent National Black Power Conference: "Control your own communities--but don't just stop there. You're not just citizens of the ghetto. Watch what the man is doing in national and regional economic affairs. Don't buy this line that just because you want some clean air and green grass for your kids that makes you an imitation white man...We should check out the action wherever it is. We don't all have to be in the ghetto just to be brothers. Calling a prison a communit don't make it so."

To open - in fact - all of American society to all Americans, NCDH is also pursuing an extensive and nationwide program of litigation challenging exclusionary zoning and related local laws and practices.

Three cases are presently in the courts.

STATEMENT OF JACK E. WOOD, JR.
Somerville, New Jersey
November 6, 1969

* A Montclair, N.J., zoning action is being tested in state court on grounds not only of the Thirteenth and Fourteenth Amendments but also on grounds that in posing a minimum cost provision and in failing to take into account the needs of the community's substantial Negro population, it violated the state law permitting zoning in order to promote the general welfare.
* In a Lawton, Okla., case, NCDH is defending in the Federal Circuit Court a lower court ruling overturning a city zoning decision because it was based on illegal racial considerations, in violation of the 14th Amendment.
* In the home state of the 1964 Proposition 14 referendum initiative effort to overturn open housing laws, we are challenging a referendum supporting Union City, California, action wiping out a zoning ruling which would have permitted low-income housing construction. In this case, we have recently been joined by the Mexican-American Legal Defense Fund.

The Montclair case involves a private developer while both the Oklahoma and California cases involve federally-subsidized housing for low- and moderate-income families.

In these and in other cases now being developed in cooperation with local community groups we are arguing that not only would racially biased motivation make a zoning or other land-use action illegal, but that its racially discriminatory and segregating effect is illegal as well under the 14th Amendment.

Further, we want the courts to hold, as we argue in the Montclair case, that the general welfare clause -- the declared purpose of state laws enabling zoning -- cover social implications and embraces the welfare of the entire community, not just its upper-income or white citizens.

Finally, our strategy challenging zoning as a racial barrier includes a public education program. Some 2000 local open housing, civil rights, and other community action groups receive regular information from NCDH. Our Trends in Housing, which is recognized as the national reporting service in the housing/civil rights field, is focussing on the zoning issue. Our Field Services and Planning Department is working with local agencies and groups, for example, a new open housing group in Dallas, with citizens in Akron, Ohio, and through a new field operation in the Raleigh, N.C., area, as well as in cooperation with the National Assn. of Housing and Redevelopment Officials in Connecticut, Florida, and Minnesota.

In planning our total strategy we brought together last May key government officials, planners, lawyers and others so that we could establish a continuing consultative relationship with these scholars and activitists.

Today we are meeting in the first of a projected series of state, regional and national conferences on exclusionary land-use and related controls to sharpen our strategy, share our knowledge of varied facets of the problems, and apprise local and state agencies and organizations of the problem, its dimensions and practical steps toward its solution.

STATEMENT OF JACK E. WOOD, JR.
Somerville, New Jersey
November 6, 1969

We see NCDH as resource, clearinghouse, and leader, but fully effective only as we involve more and more agencies, groups, and individuals locally, regionally and nationally. The task is vast and requires the best of all of us who would seek to make one nation--unified in diversity and fully equal.

NATIONAL COMMITTEE AGAINST
DISCRIMINATION IN HOUSING, INC.
1865 Broadway
New York, New York 10023
(212) 265-2780

November 19, 1969

MEMORANDUM

TO: NCDH Board and Friends

FROM: Edward Rutledge and Jack E. Wood, Jr.
Executive Co-Directors

RE: NCDH/NJBA Conference on Exclusionary Land-Use and Building Controls

On November 6, the first of a series of national and regional conferences on restrictive zoning and outmoded building controls was held in Somerville, New Jersey, under the joint sponsorship of NCDH and the New Jersey Builders Association. The meeting was designed as a work session for top-level policy makers and specialists in housing and related fields. It was attended by approximately 150 representatives of government, planning and homebuilding and allied industries and professions, major employers, labor, legal experts, urban research specialists, civil rights and other community organizations.

We are enclosing a copy of the conference program and a set of the workshop discussion guides. Also attached are reprints of news stories from The New York Times and The Bergen County (N.J.) Record. The meeting was widely covered by the New Jersey press. A detailed report on the conference proceedings and recommendations will be published in an upcoming issue of Trends in Housing.

We will keep you apprised of future developments in NCDH's expanding program to combat restrictive zoning and other exclusionary devices. At this time, we are pleased to report that the response to the New Jersey conference has been excellent.

ER-JEW:F:eh
Enclosures

THE BERGEN COUNTY (N.J.) RECORD
Friday, November 7, 1969

Housing Conference

Towns Told They Ban Poor

By EDWARD J. FLYNN
Staff Writer

Restrictive zoning practices and building codes are adding to New Jersey's serious housing shortage.

They also cause racial polarization and economic bias, it was charged yesterday by the New Jersey Builders Association and the National Committee Against Discrimination in Housing (NCDH).

At an all-day conference in Somerville, the two groups began to mobilize a coalition to fight for more and better housing for low- and middle-income families.

They attacked zoning laws which ban apartment houses or which limit apartments to having only one bedroom units, and large minimum lot sizes which often place homes out of the price range of Negroes and Puerto Ricans.

New Jersey, the nation's most urban state, was selected as the state to hold for the first in a series of conferences designed to spark a national campaign against exclusionary land-use and building controls.

Both groups noted that New Jersey was also the setting for a meeting in 1962 of representatives of the NCDH, the National Association of Home Builders, and of President Kennedy to consider housing discrimination.

Those talks in Princeton laid the groundwork for President Kennedy's executive order in November 1962 that federal funds would no longer go to housing programs which perpetuate ghettos.

Housing Shortage

In the next 10 years, the nation will need 26-million new housing units, said Harold B. Finger, assistant secretary for research and development of the Department of Housing and Urban Development.

Finger, the conference's keynote speaker, said there is no question that restrictive practices in land-use and zoning are commonplace.

In the New York metropolitan area, he said, 99.2 per cent of the undeveloped land is zoned for one-family homes. Two-thirds of that vacant land is zoned for minimum half-acre plots.

"You can't put housing for low-income families on that land," he said.

Following a series of workshop sessions dealing with the impact of restrictive practices on the housing market, the more than 100 persons at the conference made the following recommendations:

- Continue court tests of restrictive zoning, especially when there are exclusionary patterns which extend beyond municipal boundaries. The NCDH currently has three legal challenges on restrictive zoning, including one in Montclair.
- Bring together builders, leaders, and civic groups together to offer proposals on the housing shortage.
- Reorganize the state's tax structure.
- Hold back federal and state funds from communities which have restrictive zoning laws.
- Offer special grants to communities which have planned adequate housing for all income groups.
- Create a state appelate review of local zoning and building codes.
- Adopt a unified state building and construction code.

Establish housing goals with the widest variety of choice in price and type.

Low-Income Housing Exclusions in U.S. Assailed

By RICHARD J. H. JOHNSTON
Special to The New York Times

SOMERVILLE, N. J., Nov. 6—Widespread municipal zoning laws that exclude decent low-income housing were attacked today by civil rights leaders and spokesmen for the home-building industry at a conference here on Housing for the 70's.

The 160 persons who attended the day long conference, held under the joint sponsorship of the New Jersey Builders Association and the National Committee Against Discrimination in Housing, Inc., heard municipal zoning restrictions that prevent the creation of adequate housing for low-income workers denounced as "selfish sovereignty."

Widespread prohibitions under zoning laws that prevent construction of low-rental multiple-family dwellings in these communities were especially identified as barricades against decent housing for the less affluent.

Home Rule Attackeed

Those attending the conference were urged to press through industries and manufacturers, through the ballot box and through Federal and state governments to force municipalities to wipe "exclusionary" zoning ordinances from their books so decent, low-cost housing could be built in areas away from the slums of the inner cities and near the source of jobs and income.

Stewart M. Hutt, counsel for the New Jersey Builders Association, declared that selfish and exclusionary zoning barriers were forcing the building industry to operate "in a horse and buggy manner."

"A way has got to be found," he declared, "to get away from the constrictive home-rule aspects of the legislation that supports and protects these restrictions."

Harold B. Finger, assistant secretary for research and technology of the United States Department of Housing and Urban Development, underlined the effects of restrictive zoning and "selfish" land use by pointing out that 99.2 per cent of all undeveloped land in the country earmarked for future dwelling purposes is restricted to single-family dwellings.

With forecasts of a national population that will double every 30 to 50 years into and beyond the foreseeable future, Mr. Finger said, dwelling places will have to be established not only for the "affluent" but for the "lower income groups" as well.

Mr. Finger added that in many communities far-sighted leaders and businessmen want to "find a way out" of the archaic protective and restrictive approach to zoning that has resulted in the creation of "great white belts around the cities" that hold the ethnic minorities in circles while the suburban community residents say "we want it this way," he said.

George E. Carter, assistant to the president of the Systems and Management Division, International Business Machine Corporation, told of the problems faced by industries that seek to establish in and near the settled and restrictive communities.

He said that while these communities were eager to accept the "ratables" and the "employment and subsequent prosperity" that go with the arrival and establishment of a new industry, the job of settling company employes in the community, particularly non-white workers, is a formidable task.

Many industries, Mr. Carter added, were willing to press the issue of decent housing for their minority group employes.

"A black engineer or mathematician," Mr. Carter said, "is the hottest item in American industry today."

Court Ruling Urged

Ralph Brown, representing the New Jersey Housing Finance Agency, discussed the problems of taxation and finance in the effort to provide housing for middle-income and lower-income families in established areas of the state outside the major cities.

"There is a need," Mr. Brown said, "for the United States Supreme Court to deal with the problem of discrimination through local exclusion in their zoning against lower income housing."

He noted that the Supreme Court had long since struck down discrimination in other fields but that discrimination based solely on economic strata remained untouched at the base of many municipal zoning regulations.

A series of workshop sessions in the conference at the Somervill Inn here followed presentation of the problems. They were involved in constitutional and legal issues growing out of land use in the United States. The relation of housing and employment opportunities and the impediments to providing adequate housing were discussed in the context of restrictive laws and codes.

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Atlanta U Eyes School of Medicine

By CHRISTENA BLEDSOE

Atlanta University is studying the feasibility of building a four-year medical school, but, more immediately, beginning with a two-year school to provide the first half of a medical education.

Until the proposed four-year school at Atlanta University is ready, students after the first two years would transfer to Emory University School of Medicine, the AU announcement said.

Through a hoped-for cooperative arrangement between the two universities, the AU students would complete their medical education largely at Grady Memorial Hospital, the training ground for Emory students, and then would receive their degree from Emory, or another medical school if they chose to go elsewhere.

The American Medical Association requires that for a new medical school to be established, it must be in a city with adequate hospital facilities where there is already an established medical school and located on a campus with a graduate school. Atlanta, and AU meet these requirements, a spokesman noted.

THE ANNOUNCEMENT of plans to begin a feasibility study came from Dr. Thomas D. Jarrett, AU president, who said the backing of the AU faculty had been obtained and that the Atlanta Medical Society had reviewed and approved the plan.

Dr. Jarrett was out of town and could not be reached for further details.

The announcement of plans for the feasibility study came on the heels of a report from the state health department's comprehensive health planning division which called for a third medical school in Georgia.

The report said 1,700 more doctors are needed now in Georgia, and that within five years another 900 will be needed.

The same report also noted a particular need for more black doctors, saying there are only an estimated 70 or so in the state.

THE FEASIBILITY study would be conducted by an outside management survey company. Atlanta University is hoping that a private foundation in New York will finance the study, which probably would take three to four months.

The study would get accurate, detailed information that could be used to apply for private and public grants to help finance the starting of a new medical school, and most likely would also work out written agreements with Emory's board of trustees, since agreements now are unofficial.

According to Dr. Bernard Hallman, associate dean of the Emory medical school, who has worked with Dr. Jarrett on the idea, a new medical year would require about $35 million plus a large building. The first two years of medical school is the most expensive, he explained.

Dr. Hallman also said it probably would be at least three to four years before the AU school could open and that new medical schools generally start with about 30 students the first year, and increase in size as faculty is recruited.

File Polychrone

SMITH, POLYCHRONE & WOLFCALE ARCHITECTS & ENGINEERS

56 13TH STREET, N.E. ATLANTA, GEORGIA 30309 TELEPHONE 892-0557

J. N. SMITH, AIA D. A. POLYCHRONE, Sc.D., NSPE, R.A., ALA. J. R. WOLFCALE, R.A.

892-0037

0557

December 16, 1969

Mr. Moreland Smith
Southern Regional Council, Inc.
5 Forsyth Street
Atlanta, Georgia 30303

Dear Moreland:

You probably have read the enclosed article that appeared in yesterdays Journal. It prompts me to write you because it may be of pivotal importance to our frustrating efforts.

It is saying the obvious to state that medical facilities for the black community will be built in the near future. We have many, though not enough, favorable advantages in efforts to obtain such commissions: (1) Your distinguished record not only professionally, but in dealing with the black community; (2) Joe Smith's excellent record as a designer and equally important, as participant in planning programs in our community; (3) You and I have done a lot of homework, a lot of groundwork for this kind of a project; (4) We have excellent communication lines with financing sources and (5) We both know many doctors that could put in a good word.

But we have to somehow, co-ordinate all these favorable aspects and probably add some. In short, now is the time to apply intensive thought to decide what moves to make. Wouldn't it be possible to determine who are the leaders in the black business community, who are members of the board of trustees - to contact them?

I'm planning to see Rev. Williams, to ask him point blank, to help. I also propose to write Dr. Stewart the enclosed letter with a touch of disappointment in the hopes of eliciting more action. — advise me on this

With best regards,

Jim P.

D. A. Polychrone

DAP/bbr

Enclosures

April 13, 1970

MEMO TO: SRC STAFF

FROM: NMorgan

RE: Office Procedures

Listed below are some procedures which, I believe, will prove beneficial to all of us as SRC staffers.

* * * *

Beginning May 1, 1970, a "STAFF ITINERARY INFORMATION BOOK" will be placed on the receptionist's desk. This will merely serve as a record and as a centrally located information source concerning employees' absence from the office.

Please inform receptionist of your absence from office, who in turn can inform necessary persons involved. Also, when leaving and returning from lunch, and leaving the office for the day, if prior to 5:00 p. m.

Other definite procedures will follow after the "SRC STAFF MANUAL" has been thoroughly discussed.

* * * *

We are in the process of staffing the mail room so that we will not need to pull different staffers in, and off their present jobs, to help get out mass mailings. But, until such time that we have completed this process, we are soliciting all personnel at different periods to help in our mass mailings. Please. Thanks.

* * * *

Out of consideration for other office staff, and visitors, please do not congregate at receptionist desk.

* * * *

I am asking your indulgence in the above procedures, and if you have any questions, either your department head, or I, will be happy to help. Thanks again.

From the desk of:-

MEMORANDUM

TO: SRC STAFF

FROM: ADMINISTRATIVE COMMITTEE MEMBERS

Attached is draft copy of proposed Office Manual for you to read and bring to a staff meeting that will take place within a week or two.

3/20/70

PROPOSED DRAFT
OF
SRC STAFF MANUAL
1970

HOURS OF WORK

The Council office is regularly open from 9:00 a.m. to 5:00 p.m. Monday through Friday.

SALARY PAYMENTS

The staff is paid by check on the fifteenth and the last day of the month. Whenever the fifteenth or the last day of the month falls on a Saturday, Sunday, or holiday, pay checks are written on the day preceding.

OVERTIME

The Council does not pay for overtime for professional personnel.

For other personnel, additional compensation at the individual's regular rate will be made at the next pay period. If the individual chooses, and if work schedules permit. Compensatory time may be taken in lieu of additional pay. In either case, a written record of the time worked and the preference of pay or compensatory time should be given to the Secretary-Treasurer immediately following overtime work.

EXPENSES

Travel

Staff will be reimbursed for travel and actual expenses in connection with field work for the Council. Per diem in lieu of hotels, meals, tips, taxicabs, and related costs may be authorized.
Members of the Council will also be reimbursed for travel and actual expenses when attending official meetings or carrying out other duties as requested by the Executive Director or the Executive Committee.

Incidental

If any member of the staff has to incur other expenses in connection with his or her official duties, the cost will be paid by the Council, if permission has been granted.

Moving

Where arranged beforehand, the Council may be responsible for moving expenses for furniture and household effects, but not personal transportation cost, for permanent employees one-way from point of origin to Atlanta. No moving expenses are paid by the Council on termination of employment. For temporary employees, by prior arrangement, the Council may be responsible for transportation expenses to and from point of origin at the beginning and end of employment, but not moving expenses for furniture and household effects.

HOLIDAYS

The office of the Council is closed on the following holidays:

1. New Year's Day
2. Martin Luther King's Day
3. Memorial Day
4. July 4th
5. Labor Day
6 & 7. Thanksgiving Day and the following Friday
8. Christmas Day and Christmas Eve whenever practical

Whenever a holiday falls on Sunday, the following Monday may be taken. Holidays falling on Saturday may be observed upon the Friday before the holiday. Other special religious holidays may be observed by persons upon authorization.

VACATION AND SICK LEAVE

Each employee of the Council who is serving in a permanent status earns both vacation and sick leave at the rate of one- and one-half work days for each full month of service. Vacation is not granted to temporary employees. However, temporary employees may earn one-half day a month sick leave. A temporary employee who subsequently is employed on a permanent basis will be credited with any accumulated vacation or sick leave he may have accrued from the date of first employment.

Records are kept in the office of the Executive Director of all absences. A form is provided for this purpose.

The individual employee is responsible for presenting written records of all absences on the first day of work following any absence. The person will turn these slips over to the secretary of their department or persons appointed by the executive assistant. The secretaries or appointed person will then turn these forms over to the secretary to the Executive Director to be filed in a permanent folder.

An employee who is absent from the office on official business, or who is taking pre-arranged compensatory time is not considered on leave.

Vacation.--Employees of the SRC may take vacations at any time that will least interfere with the efficient operating of the office. Request for leave of any duration should be made in writing in advance to the employee's immediate supervisor and if approved, should be forwarded to the secretary to the Executive Director.

Requests for leaves, if at all possible, be made in writing at least 10 days ahead, except in case of emergency. This will allow time for securing approval. Any day taken off must be either designated as vacation, sick leave or compensatory time.

If not taken, vacation may accumulate up to 24 work days and if an employee resigns or is asked to resign, he or she will be paid for his accumulated leave up to a maximum of 24 days at his or her current rate of pay.

An employee who has accrued 24 days leave may take vacation during any year for a number of days which does not exceed the days earned during his or her current year of employment, and the days over 24, he or she has accrued, whichever is lesser, without having these days deducted from his or her 24 day accrual.

No vacation time or salary to be earned following vacation is advanced under any circumstances.

If an employee is more than one-half hour late coming to work or coming from lunch, he or she should fill out a time slip for this, for this is considered part of the vacation or sick leave. The same if the employee leaves the office early.

If any employees fail to turn in leave slips for time used for sick or annual leave, it should be the responsibility of the appointed individual, such as the secretary of the department, to fill out the slips for the individual and turn them into the Executive Director's secretary. In view of this, it should also be the responsibility of each person to keep his immediate supervisor, the appointed individual, or the secretary informed of late arrivals, early departures, and lunch hours for accurate record-keeping.

When employment is terminated, if accurate and full records are not on file, no accrued leave will be paid.

SICK LEAVE with pay is allowed whenever an employee is incapacitated dure to sickness, injury, or when some member of his immediate family has a contagious disease, is seriously ill, or dies.

Notification of absence on account of sickness shall be given as soon as possible on the "Record of Leave" form provided.

Sick leave may accumulate up to a total of 66 work days. Untaken sick leave beyond this total is forfeited.

If an employee has a serious illness which keeps him away from the office for a period of time beyond the sick leave accrued to his credit, the Executive Director may approve either of the following plans:

(1) Leave without pay, after all accumulated sick leave and vacation are exhausted.

(2) Sick leave advanced, up to 20 work days, with the understanding that the employee will remain with the Council until sick leave has

Sick Leave (Cont'd.)

been earned, or that adjustment will be made in final salary.

When sickness occurs within a vacation period, the period of illness may, upon written authorization, be charged to sick leave, and the charge against the vacation reduced accordingly. Applications for substitution of sick leave for vacation shall be made immediately after the expiration of the vacation period.

When an employee leaves employment at SRC, all accrued sick leave is forfeited at that time.

MATERNITY LEAVE

In cases of maternity leave, the Executive Director may grant leave of absence without pay for a period not to exceed eight months after all accrued sick leave and vacation have been taken.

PROFESSIONAL STAFF - LEAVE

Members of the professional staff shall accumulate annual and sick leave at the rate of one and one-half days per month. All days of leave taken shall be reported in the same manner as required by other members of the staff. The limitation as to the number of annual leave days which can be accumulated (24) shall apply to all staff.

It is recognized that the professional staff frequently is called upon to put in extra hours of work through travel, weekend and evening assignments, writing, and telephoning. Usually, these working hours are not put in at the office. It is not the intention of the Council to provide compensatory time off for professional staff for hours worked beyond those recognized as normal office hours.

However, it is recognized that professional staff will from time to time have need to recover some of these extra hours for personal reasons. This practice is not discouraged within reasonable limits. When professional staff does take such time off it should be so reported and marked as "compensatory time off" for convenience of record keeping despite the above provision that generally "extra" hours are not subject to compensatory time off.

NOTICE WHEN AWAY FROM OFFICE

It is the responsibility of those who travel or are otherwise away from the office to keep the appropriate secretary informed as to dates, places, and how the individual may be reached while out of the office. It is recognized that on rare occasions such notification will be a practical impossibility.

DRAFT

SOUTHERN REGIONAL COUNCIL EXPENSE GUIDE

The following requirements and suggestions are given as a guide for SRC staff and others who incur expenses to be paid by the Council. The guide is not established to create severe restrictions or to curtail efficiency. Rather it is a reminder of our responsibility to use the funds available as effectively as possible.

TRAVEL:

Automobile: Reimbursed at the rate of $0.10 per mile. This amount includes all travel costs related to the use of the automobile except items as parking and tolls. Private automobiles should not be used unless common carriers would be more costly or not available or would not permit fulfillment of duties.

Air: Tourist accommodations whenever possible. Except in unavoidable circumstances, first class fares will not be paid between points where frequent tourist service is available.

Train: Coach accommodations on short and day trips. Minimum adequate Pullman accommodations for overnight travel.

Bus: For short trips, bus schedules should be checked. Frequently these schedules are as convenient, and no more time consuming, than available air schedules.

Airport Limousine: Should be used whenever it provides adequate transportation rather than taxicabs.

Auto Rentals: Should be used as little as possible. Except for those persons with SRC auto rental credit cards, this service should never be used without prior permission.

Hotels: Reservation requests should always stipulate, "minimum available rate." Generally, room service charges, laundry, and like expenses will not be honored.

Taxicabs: Please use this service as sparingly as possible. However, note that heavy use of taxicabs where necessary is often cheaper than car rental.

Meals: No set formula. Generally, $2.00 for breakfast, $2.50 for lunch, and $4.50 for dinner are considered maximum-adequate amounts. It is recognized that costs in, e.g., New York may be somewhat higher and those in a small southern town or city may be somewhat lower.

OTHER:

Travel costs or any portion thereof for spouses are not honored.

Hotel bills, tickets, and other available supporting data should always be submitted with expense accounts.

Requests for reimbursement of expenses should be made on the regular SRC expense form. If this is not convenient, the request should indicate the purpose, destination, and date(s) expenses were incurred and similar information. Where practical requests for expense reimbursement should be made immediately after the trip in which the expenses were incurred. In no case should such requests be accumulated over a long period of time except as worked out with the Secretary-Treasurer.

Travel advances are available on request to the Secretary-Treasurer.

The Council does not especially encourage entertainment expenses. Entertainment expenses incurred solely by a Council staff person(s), unrelated to travel or other official obligations will not be paid. Where a staff person incurs legitimate entertainment expenses, in and out of town, he shall report the names of other persons entertained.

The Council extends the privilege, as a matter of convenience, to staff members holding credit cards to use them to charge expenses which will be reimbursed by other persons or organizations where the amount involved is closely related to the Council's interests. In all such cases, the Council must be promptly reimbursed for all such expenses whether the payment from the outside agency is in the form of reimbursed expenses or honorarium in lieu of expenses.

NEW EMPLOYEES

A person is hired by the Executive Director, his assistant, or heads of departments.

After a person is hired, he is to report to the director, supervisor, or designated person in the department that he will work.

The director, supervisor, or assigned person explains as well as shows the new employee what he is supposed to do (explaining that duties are flexible). If at all possible, the new employee will work very closely with an assigned person for at least a week.

It is the responsibility of the appropriate director, supervisor, or assigned person to furnish each new employee with a copy of the staff manual. The new employee is to be informed that he will be working on probation for three months. After the three months have ended, the new employee and the staff member will go over an evaluation sheet (attached) then the assigned person will let the Executive Director or his assistant know the results. These probationary conditions do not apply to professional staff, whose conditions of employment are arranged between the Executive Director and the new staff member.

Grievance Procedure for the Employees of SRC
Adopted by Staff Meeting, September 23, 1969

STEP ONE

When a dispute involving working relations arises, the complaining employee may take his grievance to his immediate supervisor within three days of the employee's knowledge of the grievance. The grievance will be presented in writing. An answer shall be given the employee within three working days. The time limits may be extended where the press of travel or business may require. Such extension should not exceed 10 working days.

STEP TWO

If the reply at Step One is unsatisfactory, the complaining employee may submit a written statement of the grievance to the Executive Director within five working days of receiving the Step One answer. The Director shall get from the complaining employee's supervisor a written response to the grievance. An answer to the grievance shall be given in writing within five working days of its receipt unless travel schedules or the press of business requires a reasonable extension.

STEP THREE

If the grievance is not resolved employee will submit the grievance in writing to the Staff Grievance Committee within five working days. The Grievance Committee will be composed of three members of the staff elected by the staff by secret ballot.* (See below.) This Committee will have advisory powers only. The Committee will advise the Executive Director

*No more than one staff person of the program director level shall serve on the Committee. An alternate member of the Committee will be elected to serve in the place of a regular member in case that member is directly affected by the grievance.

who then will make a further determination in the case. A copy of the Committee's recommendation will be given to the complaining employee. The Committee's response to the Director shall be within five working days. The Director will give his answer in writing within five working days. The time limits in this step may be extended for a reasonable time by mutual agreement or if the press of travel or business may require it.

STEP FOUR

If the grievance is not resolved after Step Three it shall be forwarded by the Executive Director to the Personnel Committee of the Executive Committee for action at their next scheduled meeting. The employee's statement of the case, the Grievance Committee's response, and the final determination made by the Director shall be sent to the Personnel Committee. A written answer from the Personnel Committee shall be forwarded to the Director, the complaining employee and the Grievance Committee within a reasonable time after their meeting. The decision of the Personnel Committee shall be final and binding.

RECORDS

The complete written record of all grievances shall be maintained in the office of the Executive Director.

Notes

1. The initial Grievance Committee will serve for six months at which time its work and this procedure will be subject to review and a new Committee elected for such period of time as the staff may designate.

Grievance Procedure for the Employees of SRC - 3.
Adopted by Staff Meeting, September 23, 1969.

Notes (Continued)

2. An alternate member of the Grievance Committee shall be elected to serve when a regular member of the Committee is directly affected by the grievance.

3. Although a meeting on the grievance and a proposed settlement may be made by any two members when it is impossible for all three members to meet, the proposal shall become final only after the third member has considered it.

4. Written grievances should contain brief statements of the facts of the case, how the complaining employee thinks he was affected by those facts, and a statement ast to what settlement is sought.

JOB VACANCIES

All job vacancies (below the Executive Director), both permanent full-time and permanent part-time (not temporary) shall be posted with both job description and qualification.

Over-load work which cannot be handled by an employee whose responsibility it would normally be shall be distributed by the Executive Assistant, after clearing it through the immediate supervisor(s) involved.

4M—6-64 Form #M-018

PROGRESS REVIEW FORM

For Rating of Employee After Three Month's Service

Date_____

Employee's Name_____ Department_____

Job_____ Start Date_____ Starting Pay Rate_____

To Supervisor or Department Head: Please rate the employee indicated above on the points listed below. After rating him, make a decision in regard to discharge, referral to Personnel for possible reassignment, deferment of raise, normal raise, or above average raise. After approval of the raise (if a raise is recommended), call in the employee and discuss his progress on the job. Point out his strengths and weaknesses. Attempt to help him to understand how he can improve. Tell him of your decision in regard to a raise and how much. Return this completed form to the Personnel Department, along with a payroll change order if a raise is given.

Factor	Poor	Borderline	Average	Above Average	Good or Excellent
Grasp of Job Duties	Just doesn't understand	Having some difficulty	Reasonably good understanding	Quickly caught on to duties	Fully understands duties and their importance
Job Performance	Sloppy, Inadequate	Not up to Par	Average for others after 3 months	Good, steady performer	Better job than many after 6 months
Attitude	Negative "Griper"	Not fully cooperative in all elements	Willing to put forth reasonable effort	Goes beyond minimum requirements	Cooperative, willing to try anything
Relations with Others in Dept.	Withdrawn or aggravating	Some friction	Reasonably good relations	No conflict	Fits in well
Desire to Learn	None	Little	Desire to learn own job	Interested in entire department's operation	Wants to understand whole company operation
	(A)	(B)	(C)	(D)	(E)
Overall Rating	Inadequate, probably will never learn	Ultimate ability questionable, having difficulty	Making reasonable progress	Better than average progress	Virtually fully qualified already, still improving

Action decided on (check one)

_____ (A) Discharge or possible reassignment (call Personnel Department).

_____ (B) Deferment of raise three months.

_____ (C) (D) "Normal" raise of $_____ initiated (see merit increase schedule).

_____ (D) (E) "Above Average" raise of $_____ initiated (see merit increase schedule).

Employee's status and progress discussed with him on_____(date).

Note: If raise is given, complete a payroll change order to accompany this form.

Signature_____

Department Head or Supervisor Completing Form

JOHN EGERTON
4014 COPELAND DRIVE
NASHVILLE, TENNESSEE 37215

Emory -
In case there was any problem in the transmission, here 'tis.

John

Introduction

Over the course of the past ten years, there has been more change in the South than in any other part of the United States. Much of that change has resulted in positive and impressive accomplishments: extensive economic growth, rises in employment and income levels, broader guarantees of civil rights, improved human relations, wider participation in the political process, increased responsiveness and effectiveness in state and local government, strengthening of education at all levels. These encouraging new developments have generated a sense of anticipation and hopefulness, and many of the region's leaders--indeed, many of its citizens generally--have begun to envision the possibility that the South might surge further ahead to lead the nation, not only in the pace and quantity of its growth but also in the quality of life it offers to its people.

It is perhaps characteristic of rapid change in any society that the very change itself produces stresses and inequities as well as accomplishments and improvements. The sheer velicity of economic and social and political change in the South has had such an effect: in the process of ameliorating certain long-neglected conditions, it has also made some of the region's problems more visible and acute, and created some complex new difficulties that urgently need attention. Problems concerning transportation, the land and natural resources, and the management of growth are being addressed for the Commission by other technical committees at its service; the purpose of this report is to examine and analyze a range of concerns in the area of human resource development--in particular, problems of manpower and job creation, income maintenance and social services, housing, and health care.

There is abundant evidence that large-scale socioeconomic changes in the South, some of them dating back much more than a decade and all of them far beyond the power of any individual to control, have failed to help--and in some instances adversely affected--many of the region's citizens. There has been widespread displacement of Southerners from the traditional occupation of agriculture, and many thousands of farmers and farm workers, whites and blacks alike, have been driven from the land by economic conditions that make it impossible for them to earn a livelihood from farming. That has led, in turn, to a heavy migration of rural people into urban areas, and while many new jobs have been created in the towns and cities, too frequently they have been jobs for which the people from the rural areas have been unprepared to fill.

In these two major adjustments--from rural to urban living, and from an agricultural to an industrial-technical economy--the South must make every effort to assure that neither the benefits nor the burdens accrue in disproportionate degree to any segment of the population. The attainment of an equal quality of life for all may be an unrealistic ideal--and considering the virtues of human diversity, an undesirable goal as well--but it is clear that providing for the basic needs of all citizens contributes to the well-being of the whole society. The states of the region should work separately and jointly to insure that food, shelter, health, education and job-opportunity needs of all their citizens are met in a non-discriminatory way--not alone for reasons of fairness and justice, but also because meeting those fundamental needs serves the best interests of the states.

Properly undertaken, human resource development can be of great significance in bettering the lives of individuals, improving communities, increasing individual and collective productivity, and making a higher and more rational order of economic development possible. Failure to provide for the fullest possible

development of human resources will inevitably result in lost income, lower public revenues, a lower level of physical and mental health, a variety of social disorders, and pervasive community discontent. Of all the South's abundant resources, none has greater value or greater potential than its human resources--its people. Any vision of the region's future that does not highlight and emphasize the essential importance of adequate housing, health care, education, economic opportunity, and an overall sense of security and well-being for all its citizens is a flawed vision, one that cannot bring maturity and fulfillment to the region, no matter how successful it is in other areas of growth and development.

At the present time--in spite of notable improvements in recent years--the South still has a disproportionate share of the nation's poverty and ill health. Far too many of its people live in substandard housing. An unacceptably high percentage of them fall below minimum national standards of educational achievement. Altogether too many are under-skilled, under-employed, and under-paid. The economic and social history of the region provides a number of reasons for the existence of these conditions. It is not necessary to recite that history here, nor is it necessary to be preoccupied and immobilized by the negative [redacted] aspects of the region's past. On the contrary, the South's recent achievements suggest that it need be bound no longer [redacted] by the strictures of history, and that it could have within its reach and within its capacity the achievement of a full and satisfying life for all its people.

In preparing this report for the Commission, the Technical Committee on Human Resources has found it necessary to concentrate its attention in a few areas. The limitations of time do not permit examination of all the important issues that deserve consideration. The fact that no recommendations are presented on such subjects as mental health, recreation, the relationship between protecting

human values and protecting the environment, juvenile delinquency, law enforcement, the administration of justice, and the reform of correctional institutions is simply a consequence of time constraints and nothing more; whether or not the Commission is able to give its attention to such subjects, they do require serious consideration.

Likewise, the matters of education and taxes--two crucial areas affecting the development of human resources--are dealt with only briefly here. Emphasis is given to two problems: gross inequities in the financing of education, and inherent disparities in the regressive character of the overall tax structure in the Southern states.

It is the considered opinion of the drafters of this report that the multitude of problems and issues which fall within the broad area of human resource development can best be addressed by a detailed examination of poverty--its causes, its dimensions, and the means to eliminate it. To the extent that poverty is lessened in the South, the other problems that have been alluded to here--malnutrition, substandard housing, physical and mental illness, educational failure, limited employment opportunities, and all the others--will also be reduced. Almost by definition, the poor are those who benefit inadequately and inequitably from the normal workings of the economic and social order. There is potentially an enormous contribution they could make to the society if they had an opportunity to share more fully in its dividends--and conversely, the society would have more dividends to share among all its members if fewer of them were victimized by its inequities and in dire need of its aid.

There is within the South--and within the nation as a whole--a widespread antipathy toward programs designed to aid the poor. All too often, those of us who are affluent seem inclined to lay the blame for poverty on the individuals who suffer from it. That attitude seriously complicates and threatens to defeat all efforts to alleviate the condition. It is a form of discrimination which

adversely affects the full development of the region's human resources. The South has made progress in eliminating overt discrimination based on race, sex and low economic status, but subtle forms of bias persist, at times so deeply woven into the fabric of the society's institutions and structures that only the most determined effort will remove it.

It will take such an effort to lead [redacted] the South to an understanding of the causes of poverty and a determination to eradicate it. Recognizing this, the Technical Committee on Human Resources has attempted in this report to describe two comprehensive approaches that could reverse long-standing patterns of inequity and accellerate the positive changes that have [redacted] begun to take place in the region. The first has to do with full employment in productive jobs for all eligible members of the work force. The second concerns broad reforms in the nature and delivery of support services for those individuals and families who cannot work, for whatever reasons.

Throughout, the emphasis is focused on the trends, issues, and policy options affecting human resource development as it relates to health, housing, manpower and job creation, and income maintenance and social services. In the opinion of the members of the committee, these are matters of paramount importance in the future of the South.

File — Orin South

HUMAN SERVICES CAREER DEVELOPMENT PROGRAM

The Midwest Division offers a new career development program, designed for career professionals in emerging and established fields such as Social Planning, Social Management, Human Resources, Education, Community Development, Health Services, Voluntarism, Extension Services, and Religion. The program, which will be conducted in a number of midwestern metropolitan areas, will take approximately one or two years to complete.

The program is offered to cope with a major change confronting individuals and organizations in human services. Clients for their services now see systems as being responsible for some or all of the undesirable things happening to them. Those in need of medical care, for example, now look at health care delivery systems, and see their inadequacies; welfare recipients blame the system for placing and keeping them in poverty; and students complain of the oppressiveness of the educational system. Given these views, clients of human services organizations and institutions are much less passive than formerly, more likely to make demands on various systems, and more likely to feel that new sets of demands are justified.

Within the human services complex, career professionals have also begun to see that substantial changes cannot be made in the lives of their clients unless the systems their clients interact in and with can be changed. Instituting systems change, however, is difficult, since previous education and training have seldom fitted career professionals to take such a role. This problem of system change is made even more difficult when the organization the career professional works in itself needs changing, if it is to function effectively amidst these social changes.

To provide career professionals with the concepts and skills needed to begin developing new management systems, a two phase program has been developed in two program packages. The first phase requires approximately eight weekends, and the second approximately twelve weekends.

General objectives of the program are to help participants increase their ability to:

1) Recognize their own and others' learning style, the constraints to their own and others' learning, and the way in which self-directed, self-evaluated learning processes can be managed.

2) Establish sense of community in which members can be resources to each other, dependence on experts is decreased, and trust is increased.

3) Decrease fault-finding while increasing problem-finding, and sense of owning problems that exist.

4) Use group process knowledge and skills to eliminate or reduce the blocks and inhibitions to adaptive change in management structures, patterns of administration, and relationships.

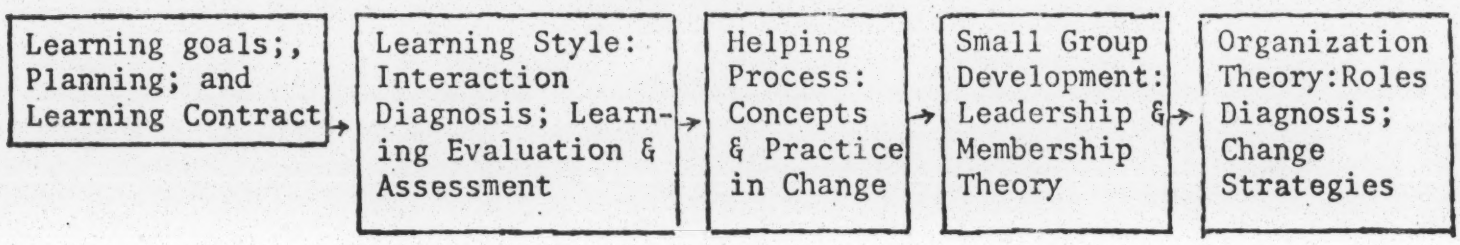
5) Analyze organizational and community systems to find leverage points and motivations for change.

6) Develop and implement change strategies.

7) Relate organization and system choices to external environment.

The content and process flows in the two phases are shown in the diagrams below. The first phase focuses on the individual as learner, on developing group process skills, and on beginning organization problem-solving and analysis. The second builds on the first, focusing on structural and values changes in American society, development theory, organization development, systems analysis, and systems redesign. This phase calls for intensive application efforts in organizations and communities.

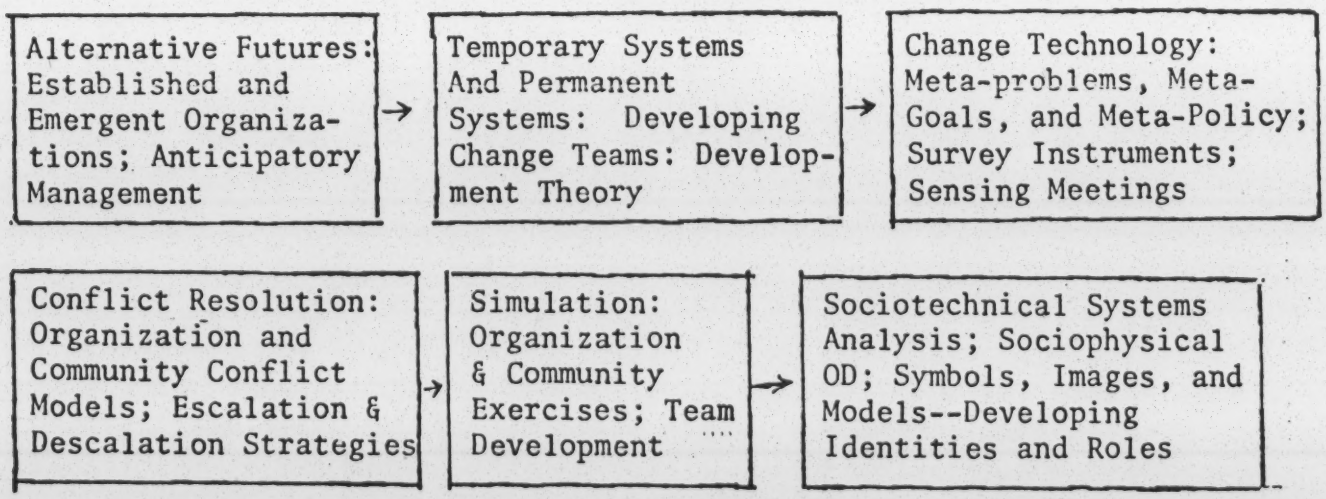
PHASE I



Beginning Organization Diagnosis: Identification

Of Different Types Of Learning Processes And Groups in Work Environment

PHASE II



Each phase will be supported by work books, exercises, and reading books selected or developed for this program. Participants will also be expected to do work outside the scheduled meeting dates on problem-solving, team development, organization analysis and/or community analysis. Certificates of completion will be given to those who complete both phases.

It should be emphasized again that this program is designed as an extended, structured professional development program. While some techniques usually associated with"personal growth" will be used, and it is expected that personal growth will take place, this is not the primary focus of the program.

This program is appropriate for individuals who are seeking career and professional enhancement and who have the ability to learn in the context indicated. Admission to the program will be based on a screening process which will seek to match individuals with the requirements of the program.

Enrollments will be accepted only for phases or program packages. Persons who have sufficient training experience may be admitted to Phase II without completing Phase I. Admission, however, will be contingent on a screening process and performance testing of group skills.

Program Costs: $650 for Phase I; $900 for Phase II. Due to the costs incurred in billing and bookkeeping, provision cannot be made for time payments. (Those who need to stretch their payments are requested to contact their local banks for loans.) The payment for each phase must be submitted upon acceptance of application.

The scheduling of meeting sites for each metropolitan location will be handled by metropolitan center directors. These directors, with their phone numbers, are given below:

Detroit and Flint,Michigan	Dr. Marilyn Harris 5198 Woodcliff Drive Flint, Michigan 48504	(313) 785-9765
Cleveland, Ohio	Dr. Donald W. Cole 11234 Walnut Ridge Rd. Chesterland, Ohio 44026	(216) 729-9319
Chicago, Illinois	Dr. Jerry Perlmutter George Williams College Downers Grove, Illinois 60515	(312) 964-3100 Office (312) 964-6033 Home
Persons in Chicago may also call the NTL Office		(312) 641-2633
Cincinnati, Ohio	Dr. Dodd Bogart Dept. of Sociology Univ. of Cincinnati Cincinnati, Ohio 45221	(513) 475-4989 Office (513) 281-8369 Home
St. Louis, Missouri	Dr. Nick Colarelli Dept. of Psychology St. Louis University St. Louis, Missouri 63103	(314) 535-3300 Ex 379 (314) 721-7030 Home

Kansas City, Missouri	Dr. Duane Thomas Children's Rehabilitation Center K. U. Medical Center Kansas City, Kansas 66103	(816) 236-5282 Ex 725 (816) 833-0648 Home

Persons in Kansas City May also call the Midwest Division Office (816) 531-3136

In each of the metropolitan areas in which the program is offered, a meeting will be held in late March to explain the program in more detail, and to provide information about screening processes and registration. Those interested in learning more about the program, and in applying should call or write the center director nearest them. Programs may be offered in other metropolitan locations if there are as many as 20 to 24 persons interested in participating. Those who live in urban areas not mentioned, and who are interested in such a program, are asked to contact the Midwest Division Office.

Hunger

FBI ON THE TRAIL OF THE HUNGER-MONGERS

WHAT CHANGES NEED TO BE MADE TO PREVENT MILLIONS FROM SUFFERING MALNUTRITION ? ?

The poor and hungry may be bothered, but generally speaking there is no reason for them to bother the rest of us, particularly since we are the comfortable majority. Yet from time to time something won't let go of us: a war that isn't easily won; or at home, evidence that all those so-called poor are not just at the bottom of the ladder (someone has to be there) or at times in sore straits, but in significant numbers - that is, by the many thousands and all over the greatest nation of the 20th century - very sick and very hungry and at times literally with less food than most of our dogs get. So, we notice that the sky is indeed overcast. And then we read that a committee of the U. S. Senate had received reports that children, American children, are hungry, malnourished, badly sick, yet never seen by doctors. We read that even conservative Senators were shocked at what they saw and heard - in field trips and in hearings, during which not only testimony but photographs were offered.

On television we see a documentary like "Hunger In America," and then we read a report called Hunger, U.S.A., the result of months and months of study and public hearings - done by a group of leading American citizens, by us in fact: lawyers and clergymen and doctors and labor leaders and businessmen. Letters start going to Washington, to Senators and Congressmen, to the President, and to the Secretary of Agriculture, who in the past year has received hundreds and hundreds of them, and has had to have a form letter of "concern" printed up. And some people even begin to suggest changes, radical changes. Why not guarantee every child three square meals a day? Why not insist that no one has to drink polluted water, or live in a cabin that lacks electricity? Why not, if it has to come down to that, forsake the moon and missiles and supersonic bombers and transports - for food, for food that American children need?

How long, exactly how long can those questions, that kind of thinking, go on without, in the words of the Pentagon, a "response?" The answer, we fear, is: not very long.

FBI AND FCC INVESTIGATE THOSE WHO TALKED TO TV REPORTERS ABOUT HUNGER

Recently in San Antonio, one of us talked to a Catholic priest who had rather boldly and perhaps foolishly agreed to work with the Citizens Board of Inquiry into Hunger and Malnutrition in the U.S.A.; and rather naively agreed to point out instances of near starvation, to camermen from CBS News for its documentary on hunger. In the autumn of 1968, it did not take long for Washington to reply. The priest and others have been approached by agents of the FBI and the FCC and the Agriculture Appropriations Committee of the Congress - for what reason? Why, "to determine the real extent of hunger in the country," says Rep. Jamie L. Whitten, from Mississippi who heads that House committee.

But what the priest said to us and what he substantially repeated to the US Commission on Civil Rights at hearings held in Texas, was this:

"My name if Ralph Ruiz. I am a Catholic priest of the Archdiocese of San Antonio. I am Director of Inner City Apostolate on the near west side of San Antonio. I would like to believe that in our country of America, individual citizens have the right to petition their national government without fear of intimidation, harassment, or retaliation. That was to be one of our most basic civil rights.

"There have been federal investigators from Washington, FBI agents, who have been to San Antonio to find out - so they say - if anyone is hungry here. But I think the real reason they were here has been to discredit the many reports which say there are hungry people in San Antonio. Everyone knows that there are hungry people here - people who - in the words of the special survey by the Department of Health, Education, and Welfare, just completed in Texas - are suffering from 'malnutrition, anemia, retardation in the growth and development of children, and vitamin deficiencies.'

"The 1967 application submitted by the City of San Antonio for participation in the Model Neighborhood Program talked about two San Antonios:' 'In the city, 28 percent of the families (38,444) made less than $3,000 per year, and over six percent of the families had an income of less than $1,000. . . . Although the economic picture appears optimistic and growth seems to be certain, it is still true that San Antonio has more area of blight today than ever before. . . .

PRIEST TELLS HOW HE WAS QUESTIONED FOR TWO HOURS BY FBI AGENTS FROM WASHINGTON

"In the face of all that, I was interrogated for some two hours several weeks ago by two FBI agents from Washington on whether there were any hungry people here. These FBI agents say they are now working for the House Appropriations Committee, which has started an investigation into hunger in America.

"What do FBI agents know about hunger? What purpose can they have - except to frighten, intimidate, harass, and bother the poor and hungry who thought the government in Washington was their friend? I can take care of myself; these federal police do not frighten or intimidate me. But what of the poor families who are suddenly faced with two FBI agents asking questions about whether they are hungry, about how much money they make, about what do they eat, about why don't they eat better. What about the fact that those agents enter their homes, look into their kitchens, invade their private lives and private property. We know that this has happened to at least one family here in San Antonio who were visited by the 'two men with suits on.' . . .

"These people - poor and hungry though they may be - have their own dignity and their own worth as human beings. It is not their fault that they are hungry, that they are poor, that they must depend upon a paternalistic and inadequate system for their daily bread. It is very hard for these people to tell their story of deprivation and hunger. They have told it often here - to the Citizens' Board of Inquiry, to the CBS-TV crews and, therefore, to the nation, and to me and those who work here every day. They shouldn't be forced to tell it again to federal agents, to agents of the FBI."

Agents of the FBI and of Mr. Whitten's committee, such as Joseph Scully and Nicholas Wultich and Carl Bennett, have been all over, as have investigators from the Federal Communications Commission, like Mr. Merlin Smith. They have been to Loudoun County, Virginia and to Dr. Donald Gatch in South Carolina and to photographer Al Clayton in Nashville and to nurses and hospital administrators in San Antonio. They have tried twice to contact Dr. Raymond Wheeler, a white physician in Charlotte who is chairman of the executive committee of the Southern Regional Counil, and who was one of the six physicians who wrote "Hungry Children," a report on conditions in Mississippi issued by the Council. They asked a nurse in the Robert B. Green Hospital in San Antonio whether the CBS camerman "behaved themselves." They asked Dr. Gatch whether he actually saw hungry children as part of his practice. They wanted to know from Al Clayton "where my pictures were from." They closely examined Sister Mary Rachel, a nun who works with the poor in San Antonio - and afterward, in indignation, she wrote to Rep. George Mahon of Texas to "emphasize" that from "eleven to fifteen days out of every month . . . some people go hungry or are in need of some help because of low income or not enough welfare. . . ." She also insisted that the commodity food program was not "sufficiently varied," nor did it provide "enough to last for the time indicated or needed." As for the food stamp program, in rural areas many people can't get them "because of the distance" - away from county offices, which in Jamie Whitten's Mississippi or in parts of Texas or Appalachia are not notoriously friendly to poor blacks or poor Mexican-Americans or poor whites.

FEDERAL POVERTY WORKERS ARE QUESTIONED BY THE FBI

In addition, all sorts of people in the federal government were interrogated, people who might have a thing or two to do with poverty programs, with programs designed for children; and anonymously, anxiously, they talked to one of us about their fears. What does this mean, and worse, portend? Well, of course, their fears are groundless. In New Orleans on December 9th, almost the instant that Father Ruiz was telling his story to the Civil Rights Commission in San Antonio, our new Vice President told the poor that "trained professionals" would soon be, doctors to the poor, who are now to be considered patients. Yet, Mr. Agnew may find that he can't always rely upon some of those professionals, who ordinarily can be counted on to propose nothing very radical, who knows where the money for their food comes from, who clothe the most obvious common sense in all sorts of garish mumbo-jumbo talk.

One "professional," very well trained indeed, is Dr. Herbert Pollack, a nutritionist who works for the institute for Defense Analysis. On December 10th Dr. Pollack was to testify before officers of the Food and Drug Administration, which is holding hearings on the regulations that govern special dietary foods. Recently Dr. Pollack severly criticized the accuracy of the report, Hunger, U.S.A., and in the hearings a number of attorneys were prepared to question him about his views on hunger in America. As a beginning he was asked questions about his work - in 1934 he did a nutritional survey among the urban poor - and was requested to list some of the causes of malnutrition. No, he didn't want to do that. He asked for a recess. Then he angrily walked out of the hearing. Fifteen minutes later a government attorney announced that "this concludes the availability of Dr. Pollack." It is virtually unprecedented for a witness before such a hearing to behave like that - and the FDA Hearing Examiner, David Harris, remarked that, "If I had the power to hold Dr. Pollack in contempt, he might be held in contempt."

Yet, if some of Mr. Agnew's "trained professionals" turn and run under fire, others are far stronger. Mr. J. Edgar Hoover chooses former lawyers and accountants for his agents. All of us, Mr. Agnew and our malnourished poor included, can thus rest assured that if anyone is plotting to feed hungry American citizens, the heart of the conspiracy will be exposed by the well-trained and patriotic men who work for the Federal Bureau of Investigation.

This article by Robert Cole and Harry Huge appeared in the New Republic, December 21, 1968.

AFL-CIO

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Assistant Director
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17 17

NATIONAL 8-3870

Hunger Jim! Are you familiar with this? Jerry

U.S. COURT DEMANDS FOOD FOR HUNGRY CALIFORNIANS

U.S. District Judge Stanley Weigel has ordered federal and state officials to immediately provide a food stamp program for all needy Californians.

His order yesterday sets up a panel of three federal district judges to study constitutional questions involved in setting a precedent that may apply to all other states.

In a hearing December 23, attorneys for the California Rural Legal Assistance program argued 16 of the state's counties have no food stamp program.

FINDINGS

Judge Weigel's order was based on stipulated findings:

> There is substantial hunger in California counties not implementing federal food programs.
>
> Federally owned surplus food is available to feed the hungry in the state.
>
> The U.S. Department of Agriculture has a surplus of $300 million which can be used to feed the hungry throughout the United States.

Attorneys for the CRLA said Jude Weigel's order marks the first time such action concerning the food stamp program has been taken, although petitions have also been filed in 26 other states.

Thirty San Benito County farm workers and their families and others supporting the program took part in the local hearing.

EVIDENCE

According to the attorneys the evidence at the hearing showed there was "a substantial amount of hunger in California counties without federal food stamp programs."

One witness, Alejo Hernandez, a farm worker and father of nine testified he earns less than people on welfare receive and has less available for food for his children than is spent in the state annually for seeing-eye dogs.

Another witness, Mrs. Alta Hernandez, a widow and mother of five, said she spends 65.9 percent of the family's limited income for food, while the average middle class family spends only 20 percent of its income.

Judge Weigel's order set no date for the three-judge panel to meet, but his order was effective immediately.

ATTORNEYS

The CRLA attorneys petitioning the court are Robert Gnaizda, Martin Gliek and Don Kates, Jr.

Early this month, Agriculture Secretary Orville Freeman announced in Washington the food stamp program will be liberalized so the poor can buy more food for less cash.

He said that more than 500,000 persons would be affected and that the policy changes would cost an additional $14 million during the rest of the fiscal year ending June 30.

A family of four in the South, with a monthly income of under $30, now can buy $43 worth of food for $2 in stamps. This ranges up to $60 in food for $26 worth of stamps for a family in the $60-$70 monthly income category.

Beginning in February, the range will be increased from $58 worth of food for $24 in stamps to $62 worth of food for $24 in stamps.

THE NORTH

In the North, a four-person household with monthly income less than $20 now receives $52 worth of food for $2 in stamps, or $66 worth of food for $28 in stamps at the top of the range.

Under the liberalized plan, $2 in stamps will buy $60 worth of food for the poorest families. Those in "higher income" brackets of $60-$70 a month will be able to buy $66 worth of food for $26 in stamps.

In the past, the 16 counties without food programs have contended the decision on using federal food supplies rest with the county board of supervisors.

During the court argument, Judge Weigel said the tact of descrimination appeared obvious when federal food was supplied to a needy person in Santa Clara County but not to a similar person in San Benito County.

This article reprinted from the San Francisco Examiner, December 31, 1968

For more background on the food stamp program to use in your educational program, write to:

George T. Guernsey, Asst. Director
Department of Education
AFL-CIO, Room 510
815 16th St., N.W.
Washington, D. C. 20006

Hunger

GOING HUNGRY IN AMERICA

"I don't know, Orville," said Senator Robert Kennedy to the Secretary of Agriculture, "I'd just get the food down there. I can't believe that in this country we can't get some food down there." Others too will find it difficult to believe the facts revealed here about the failure of the Congress and the federal government to assure that millions of people in the richest, most bounteous land in the world are saved from malnutrition or starvation. This is the latest in a continuing observation of how government works -- or doesn't -- by the ATLANTIC'S Washington editor.

10 MILLION PEOPLE SUFFER FROM MALNUTRITION, SOME STARVE, BECAUSE OF POVERTY

From time to time during the past few years, there has come to public attention the jarring news that a great many Americans do not get enough to eat because they are too poor. The words "starvation," "hunger," and "malnutrition" have all been used to describe the phenomenon. Each of these conditions is difficult to isolate, or even describe, or to separate from related diseases, because there has been little scientific or official interest in the problem. Yet it is generally agreed, even among government circles, that, at a minimum, ten million Americans are malnourished, and some of these are chronically hungry, even starving, because they are poor.

In 1967, a group of doctors, including Robert Coles of Harvard University, Joseph Brenner of MIT, Alan Mermann and Milton J. E. Senn of Yale, and private practitioners from Yazoo City, Mississippi, and Charlotte, North Carolina, took a foundation-sponsored trip to Mississippi to investigate the problem and returned to tell the Senate Subcommittee on Poverty what they had seen:

> "In Delta counties . . . we saw children whose nutritional and medical condition we can only describe as shocking -- even to a group of physicians whose work involves daily confrontation with disease and suffering. In child after child we saw: evidence of vitamin and mineral deficiencies; serious untreated skin infestation and ulcerations; eye and ear diseases, also unattended bone diseases secondary to poor food intake; the prevalence of bacterial and parasitic disease, as well as severe anemia . . . in boys and girls in every county we visited, obvious evidence of severe malnutrition, with injury to the body's tissues -- its muscles, body , and skin as well as an associated psychological state of fatigue, listlessness, and exhaustion. . . . We saw children who don't get to drink milk, don't get to eat fruit, green vegetables, or meat. They live on starches -- grits, bread, Kool Aid . . . In sum, we saw children who are hungry and who are sick -- children for whom hunger is a daily fact of life and sickness, in many forms, an inevitability. We do not want to quibble over words, but "malnutrition" is not

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This article by Elizabeth B. Drew is reprinted from The Atlantic, December 1968.

quite what we found. . . . They are suffering from hunger and disease and directly or indirectly they are dying from them -- which is exactly what "starvation" means."

DOCTORS SEE CONNECTION BETWEEN MALNUTRITION AND BRAIN DAMAGE IN CHILDREN

There is developing, moreover, a disturbing body of scientific information that indicates a connection between malnutrition in children, in particular insufficient protein, and brain damage. Seventy-five percent of the mental retardation in this country is estimated to occur in areas of urban and rural poverty.

The situation in the Mississippi Delta has been particularly acute because of unemployment as a result of mechanization, and among other things, other government programs: controlled planting, and a new one-dollar-an-hour minimum wage, which led many plantation owners to lay workers off rather than pay it. Mississippi's welfare program pays an average of $50 a month to a family with four children, but payments are made only if the wage earner is old or disabled or blind or has left his family. Thus there are thousands of families in the Delta with no jobs and no income.

There are two basic government programs which are intended to improve the diet of the poor -- the sale of food stamps and the distribution of food. The local county chooses one or the other -- or neither. Government officials point out that for some time every county in Mississippi has had one of the programs. In response to the reports that people still were not getting enough to eat, the Secretary of Agriculture said to the same Senate subcommittee: "They got some food because they were obviously walking around. I don't know where they got it."

WHY ARE THE GOVERNMENT FOOD PROGRAMS SO SHOCKINGLY INADEQUATE ? ? ?

For some time, in fact, it has been known within the government that the food programs had serious shortcomings, in the number of people being reached and in the form of the assistance. In addition, over the past year and a half or so, domestic hunger has been the subject of a great deal of publicity. A solution would not be all that expensive: government studies have indicated that adequate food distribution for everyone who needed it would cost between $1.5 billion and $2 billion more than the roughly half billion being spent on stamps and commodities now. (No one has calculated, in terms of illness and wasted and dependent lives, what it costs not to provide everyone with an adequate diet.)

There were also short-range and less expensive actions that could have been taken to alleviate the most severe distress. While it would be inaccurate to say that nothing was done, the response was slow, piecemeal, and, it often seemed, reluctant. More thorough responses, including a national commitment to see that no one was denied an adequate diet because of low income, were considered, and at several points they were almost made. Because of the impact on the lives, every day, of several million people, the reasons why they were not are worth exploring.

The food programs are run by the Department of Agriculture because they were begun not so much to help the poor as to dispose of embarrassing agricultural surpluses. Food packages are distributed once a month to the poor who live in counties which happen to want the distribution and are willing to pay for it. (Only recently, the federal government began to pay for the packages in a few of the poorest counties.) "But," Orville Freeman, the Secretary of Agriculture, has testified to Congress, "That doesn't mean that every person gets it, because a poor person who lives miles away from the distributing point where 100 pounds of food is made available for a month may very well (a) not even know about the distribution; (b) not be able to get there; and (c) not be able to carry it away." (One congressman replied: "I know dead soldiers who didn't miss out because they lived 10 miles from a recruiting office."

The commodity packages have only recently approximated what even the Agriculture Department considers a "minimum adequate" diet, but the cheerful assumption is made that they are a "supplement" to a family's food supply. The commodity package has been periodically expanded, to the point where last summer, under public pressure, the Department announced that it would now contain some twenty-two items. The list is theoretical, however; whether the various items actually end up in the package depends on whether they are in sufficient supply and whether the local community elects to include them.

It takes tolerance for tedium and some culinary ingenuity to make edible meals of the surplus packages, which until last summer consisted mainly of such things as flour, cornmeal, rice, dried peas, dried beans, bulgur. Formerly they contained thirty ounces of meat for each person for an entire month; now the packages are supposed to contain more meat, dried eggs, evaporated milk, canned chicken, canned vegetables, and some others. The wrapping is to be prettier, and recipes are to be supplied, although many of the recipients can't read.

POOR ARE ASKED TO PAY AS MUCH AS 35 to 50% OF INCOME TO GET FOOD STAMPS

The food stamp program, in which participants buy stamps which are worth more than the purchase price and use them to buy groceries, is preferred by just about everyone, including the local grocers. Long part of the Democrats' agenda, food stamps were started on a pilot basis in 1961, and were finally authorized by Congress three years later. The stamps are actually a form of income supplement, but that is not the sort of thing that is said out loud, and thus a great emphasis is always placed on how this, too, is to supplement a family's "normal" expenditure for food.

It is difficult to divine just what was in the minds of the federal officials who worked out the details of how the food stamp program should work. Each month a family may purchase a given amount's worth of stamps, depending on their income, in exchange for a given amount of bonus. Somehow, although people in general pay about 18 percent of their income for food, the poor, under the food stamp plan, are sometimes required to pay as much as 35 to 50 percent in order to obtain any stamps at all. If they cannot afford that because of the other demands on their income, or if they do not happen to have enough cash on hand on the day that the stamps are sold, they get no help at all. For example, after eight counties in Mississippi switched from commodity distribution to food stamps, some 32,000 fewer people were receiving food aid one year later. In Arkansas, of the 54,531 households on welfare in counties with the food stamp program, only 9,700 buy the stamps. This is not

peculiar to these states; while some 6 million people are estimated to be receiving either commodities or food stamps now -- roughly 3 million under each program -- it is seldom mentioned that six years ago even more people were being helped, albeit the great part by the inferior commodities program.

Another quirk is that the bonuses go up as the income goes up, so that the higher-income poor end up with more food than those at the bottom of the scale. The Agriculture Department explains that this is because it would not be wise to give those who are accustomed to being worst off too much too soon. In order to be certified as eligible for the program, families must run the gauntlet of the welfare agencies, many of which are not known for their sympathy toward Negroes.

FOOD PROGRAMS SOMETIMES USED AS MEANS TO CONTROL CIVIL RIGHTS ACTIVISTS

The food programs are sometimes used as an instrument of control: people who participate in civil rights activities or who are needed when it is time for the crops to be picked find that the programs are suddenly unavailable. In many areas, food prices go up on the day the stamps are issued.

When the uproar over these failings developed in 1967, the Agriculture Department made a study of the situation in Washington County, Mississippi. It found, among other things, that more than half of those qualified to receive food stamps were not doing so. The investigators were not, however, greatly perturbed. "In general," they reported, "the study indicates that low-income households in this Mississippi Delta county accommodate themselves to a diet which low-income families elsewhere would reject. . . . It may be that low-income families place less value on food than we think."

The Department of Agriculture should not, in all fairness, be expected to demonstrate dazzling expertise in the needs and life-styles of the poor. Its essential mission is to nurture the agricultural economy; the poor are somebody else's department.

Nobody envies Orville Freeman his job, frequently described as "the worst one in town." Freeman's own official biography says it all: "He has been shot at not only by Congressmen, rural and urban, but also by consumers protesting food prices, farmers protesting farm prices, and dissidents of all job descriptions and all colors protesting food programs and poverty." Freeman is a liberal out of the Democratic-Farmer-Labor movement, where he was three-term boy-wonder governor.

"His tendency, in the early years, when the subject of hungry people came up, was to look embarrassed and change the subject." When it could no longer be ignored, Freeman behaved like a man in a trap. Moreover, he could, and frequently did, claim with justification that during his tenure, through initiating food stamps and expanding food packages, an unprecedented amount had been done toward feeding the poor. His injured pride and his combative nature served to deepen his troubles.

DEPARTMENT FUNDS DEPEND ON UNSYMPATHETIC MISSISSIPPI CONGRESSMAN

Jamie Whitten, a 58 year-old congressman from Charleston, Mississippi, chairman of the subcommittee which provides funds for the Agriculture Department's programs and

one of the most powerful members of the House of Representatives, does not believe that anybody in this country is unavoidably hungry, "except," he says, "when there has been parental neglect through drunkenness or mental illness. You're dealing with people who for some reason or other are in a condition of poverty. If they had the training and foresight of other people, they wouldn't be in poverty."

Whitten has installed a number of employees at the Agriculture Department, and there is little that Orville Freeman does that Jamie Whitten dosen't know about. Whitten expects Freeman to consult him before he makes any policy move, and Freeman has decided it is the better part of wisdom to do just that. The congressman is a skilled legislator, however, and knows better than to stand intransigently against the majority opinion of the House. He hasn't often, in fact, made significant cuts in the food stamp program's funds once the House has approved the program. Neither, if he doesn't like what Freeman is doing, is he likely to cut into crop-support funds of such importance to the farm bloc. Whitten had denied money for work in the general area of rural poverty; Freeman is also anxious not to annoy Whitten to the point where he might cut funds which the Department lends to rural areas to build ski slides and golf courses that Freeman feels are important community programs. After a while, the relationship between a Cabinet officer and his House appropriations subcommittee chairman blurs beyond a rational if-I-do-this-he-will-do-that situation. "He simply becomes part of your thinking," says one former Cabinet officer. "He is an automatic part of all your decisions."

The House Agriculture Committee, which sets the policies for which Whitten's group then provides the money, is, to state it gently, disinterested in the poor. The committee's concerns are sheep scrapie and hog cholera and agricultural subsidies. The members of most committees see to it that the benefits of programs they preside over reach their constituents in full measure, but it is no accident that the home districts of a number of the Agriculture Committee members do not have food stamp programs. "These programs are not desired by the power structures back home," says one close observer, "and that's what elects them. The recipients of these programs don't vote."

AGRICULTURE COMMITTEES DOMINATED BY REPRESENTATIVES OF BIG LANDHOLDERS

The situation is similar in the Senate. In all cases, the Agriculture committees are almost entirely populated by representatives of Southern and Midwestern farm districts, with, in a Democratic Congress, the representatives of Southern landholders in charge. Senator James O. Eastland, for example, is the third-ranking member of the Senate Agriculture Committee and its most important determiner of cotton policy. Last year, the Eastland family plantations in Sunflower County, Mississippi, received $211,364 in subsidies. Despite the slipping popularity of the farm programs, the increasing urban and suburban orientation of Congress, these men have enough seniority, and serve on enough other important committees, to make their influence felt. To the extent that the Agriculture Department budget is under attack, they try to keep the budget down by curbing the Department's noncrop programs.

"Freeman decided as a matter of policy," says one of his former colleagues, "that he was not going to antagonize these men. He checked out appointments with them and went to enormous lengths to cultivate them socially. When the food issue came

up and he got caught in his conspiracy with the Southerners on the Hill, his instinctive reaction was to deny that anything was wrong. After all, he was relying on memos from his staff, and they were defending themselves, too."

In April, 1967, the Senate Labor and Public Welfare Committee's Subcommittee on Employment, Manpower, and Poverty went to Mississippi. The subcommittee, headed by Senator Joseph S. Clark of Pennsylvania, was making a nationwide study of the poverty program, and since Senator Robert Kennedy was a member of the group, wherever it went, the press went too. At a hearing in Jackson, Mississippi, Marian Wright, an attractive, soft-spoken attorney for the NAACP's Legal Defense Fund, who had been working in Mississippi, talked about welfare, poverty, and the situation in the Delta. "They are starving," she concluded. "They are starving, and those who can get the bus fare to go north are trying to go north. But there is absolutely nothing for them to do. There is nowhere to go, and somebody must begin to respond to them."

SENATORS KENNEDY AND CLARK CALL ON PRESIDENT TO TAKE EMERGENCY ACTION

Senators Kennedy and Clark said they would take it to the Department of Agriculture when they returned to Washington. Senator George Murphy went them one better and said that the group should "notify the President of the United States that there is an emergency situation, and send investigators and help in immediately." On the following day, Clark and Kennedy toured the Delta. The cameras were not there when Robert Kennedy sat on the floor in one particularly fetid shack watching a listless child toy with a plate of rice, feeling the child's body, trying to get the child to respond, and trying to comprehend. Until then, the senators really had not known how bad it was.

After they returned to Washington, all nine members of the subcommittee signed a letter to the President describing the situation as "shocking" and constituting an "emergency," and calling for specific Administration action. "The White House, after trying not to receive it at all, bucked the letter to the Office of Economic Opportunity, which runs the poverty program, and OEO responded with a press release, its outlines dictated by the White House. The release said there was poverty in each of the senators' home states, too; that the crisis of poverty had been greater before Lyndon Johnson took office; that the Administration had started a lot of programs in Mississippi; that the Congress had cut funds for the poverty program; that "every recommendation in the letter by the Senators has the hearty concurrence of the administration," but there were some legal problems; and "we already know what needs to be done."

The senators' concern and the attendant publicity might, of coures, have been seen by the White House as an opportunity to make major moves to correct the problem, just as it had made it a point to get out in front on any number of issues, such as auto safety or home ownership for the poor, raised in Congress. But this time the President was in no mood to be pushed. Neither he nor Freeman believed that the problem was as serious as Clark and Kennedy said, and both saw "politics" in the whole affair. (Department officials say that Clark and Kennedy were taken on a "pre-arranged" tour by "professionals.") The President knew that neither senator had influence with, in fact they had highly angered, the Agriculture establishment on Capitol Hill, and to the White House these were important people not to anger.

When he did move, and it was not doubted that he would, it would be at a time and in a manner of his choosing.

SENATORS REQUEST FOR ACTION RESULTS IN BUREAUCRATIC FIGHT

The problem of malnutrition had, like most conceivable domestic problems, been put before a secret interagency task force by the White House the year before, as part of the preparations for the Administration's 1967 legislative program. The appointment of the task force, the task force was told, reflected the White House's deep conviction that every American should have an adequate nutritional diet. The task force, headed by Agriculture Department representatives, did not, in the view of the White House, provide sufficient information on either the dimensions of the problem or possible new approaches. Neither presidential aide Joseph Califano, who had hoped to be able to propose a food program, nor his new assistant, James Gaither, was familiar enough with the complexities of the food programs to ask the right questions. Therefore nothing of any consequence was proposed. Following the senators' letter, renewed efforts within the Administration to work something out devolved into angry disputes between OEO, particularly Director Sargent Shriver, who accused Agriculture of incapacity to deal with the problem, and Agriculture, particularly Freeman, who accused OEO of trying to damage their Department and take away the programs. It was a classic bureaucratic fight over turf.

There were two basic issues between the subcommittee and the Administration: (1) the price of the food stamps, and (2) the Secretary's authority to declare an amergency in the Delta and send in extra food. After several months of subcommittee pressure and after prodding by the White House and harassment by Shriver, the Agriculture Department did lower the price of food stamps for those with an income of less than $20 a month to 50 cents per person a month, with a maximum of $3 per family. (This buys $72 worth of food for a family of six, about half what the Department estimates such a family needs.) It also decided to charge all families only half the price in the first month. Prices could not be lowered generally until there was substantially more money for the program, a decision the President would have to make.

The Department resisted the argument that there were people with no income at all who should be charged nothing for their food stamps. For one thing, the Department thought that this was a problem in a small number of cases, and therefore not worthy of great concern. For another, the Secretary believed, as he told congressional committees on several occasions, that the poor could not be trusted with free stamps. "If you proceed, then, to have free stamps," he said, "and you give free stamps to everybody who wants them, what will happen to those stamps? Those stamps, I am afraid, in many cases will be bootlegged. That is what happended back in the 1940s and the 1930s, with the food stamp program. That destroyed the program. The food stamp programs was discredited because those stamps became common currency for all kinds of things, from a wild party, to a beer party, to legitimate uses, to buy shoes." Another view of what ended the earlier program was the almost full employment during World War II.

SENATORS ARGUE THAT SECRETARY HAS EMERGENCY POWERS TO SEND FOOD TO THE DELTA

The senators and others argued that the Secretary should have invoked his emergency power to send extra food to the Delta, using money from a special multipurpose fund

(known as Section 32 for its place in an agriculture law), as he had used it to begin the food stamp program and expand the commodity packages. The Department argued that it didn't really have the power (despite the precedents), that the money really hadn't been budgeted, that it would be bad precedent and administratively inefficient to distribute free food where there were already food stamps; and there was also that danger that if there were two programs the people might start bootlegging. There was also the problem that the Agriculture committees frown on such use of the money.

As the arguments tumbled forth at one private meeting, Kennedy looked at Freeman and shook his head. "I don't know, Orville," he said, "I'd just get the food down there. I can't believe that in this country we can't get some food down there."

Oddly, the one senator who took matters in his own hands and introduced a bill was John Stennis of Mississippi. The Stennis bill would have provided money for emergency food and medical programs, and required a government study of the true extent of malnutrition. (The government had made almost no studies of malnutrition in the United States; the Public Health Service had not seen that to be its concern. The Pentagon, wanting to know about the connection between malnutrition and defense preparedness of foreign contries, had sponsored several studies of nutrition overseas, and there were minor studies of the eating habits of Eskimos and Indian tribes in the United States.)

The Stennis bill went through the Senate quickly. But his shrewd move to cut off talk about his state was not appreciated by the House Agriculture Committee, which let the bill die. Through other congressional routes, OEO was given $10 million in emergency food money and the Department of Health, Education, and Welfare was ordered to study the extent of malnutrition.

POOR PEOPLE'S CAMPAIGN SUCCEEDS IN PUSHING FREEMAN TO EXPAND FOOD PROGRAMS

In September of 1967, in the only public statement on the issue he was to make for a long time, President Johnson said that "we want no American in this county to go hungry. We believe that we have the knowledge, the compassion, and the resources to banish hunger and to do away with malnutrition if we only apply those resources and those energies." He ordered the Department of Agriculture to see to it that, one way or the other, every one of the thousand poorest counties in the nation had a food program. The Department said that there were 331 of those counties that did not, and, to give it a little of the old pizzazz, it embarked on "Project 331."

As it turned out, it was a full year before each of the 331 was said to have a program, for the Department remained highly reluctant to fly in the face of tradition by using federal money and federal personnel to establish a program if the counties resisted. It was also oncerned about what it felt was a bad precedent of having the federal government pay the full costs. In May of the following year, with the Poor People's Campaign beating at his door, Freeman finally announced that this would be done.

Extending the programs to more counties had nothing to do with improving matters for recipients, as in Mississippi. Since greater amounts of money were not committed, it also meant that other less poor counties that were on the waiting list for the food

stamp program would have to continue to wait. Finally sometime after Project 331 was under way it was discovered that Agriculture defined a "poorest" county as one with the lowest average income, rather than one with the largest number of poor people. Therefore, poor people who had the misfourtune of living near too many rich people were out of luck. This covered more counties at less expense, and fewer people were helped.

TASK FORCE REPORTS THAT FOR ANOTHER $2 BILLION ALL AMERICANS COULD HAVE ADEQUATE DIET

The President's encouraging statement may have been prompted by the fact that by the fall of 1967 the White House had set up another secret task force, which once more reflected their deep conviction, they said, that every American should have an adequate nutritional diet. The task force, now headed by representatives of the Budget Bureau, reported that for another $1.5 to $2 billion and in relatively short time the government could provide that adequate diet to every American. Now, however, and for months to come, the Administration was locked in its fight to secure a 10 percent income surtax, from Congress, and Congress' demand that there be substantial cuts in government spending in return. "I don't think anyone realizes how paralyzed we became by that fight," says one Administration official. "I don't think even we realized it."

With the White House feeling under particular pressure to do something about the cities (the Detroit riot had just taken place), and with their own expertise tending in that direction, Califano's staff that fall concerned itself with devising new programs for jobs and housing. Whatever the limitations of these programs in terms of delayed spending, they at least represented a commitment and an effort at new approaches, which were not made on giving the poor sufficient food. Through it all, Mr. Johnson remained unconvinced that the problem was as serious as the critics said, reluctant to take the fight to the Hill, where he had enough problems, and annoyed that no one could tell him exactly how many people were going hungry. (No one knows exactly how many unemployed or how much substandard housing there is either.)

Moreover, there was now no great public pressure on the White House to act on hunger, as there was on behalf of the cities. During all of 1967 and 1968, only a small coterie made the issue a continuing preoccupation: Miss Wright; Peter Edelman of Kennedy's staff; William Smith of Clark's staff; and Robert Choate, a young businessman of some means who took a sabbatical to become a free-lance, largely behind the scenes, and highly effective crusader on the issue. Of the enormous Washington press corps, only Nick Kotz of the Des Moines Register saw the hunger issue as worthy of continuing coverage, whether or not it was "in the news." Of all the lobby organizations, only a few of the more liberal labor groups found the issue to be of even intermittent concern. The Citizens' Crusade Against Poverty, an organization with United Auto Workers backing, was the closet there was to a group with a full-time concern. Early in 1968, it had established a Citizens' Board of Inquiry, which published "Hunger, U.S.A.," a stinging indictment of the food programs.

SOME CONGRESSMEN ARE OUTRAGED BY CBS-TV DOCUMENTARY ON HUNGER IN AMERICA

Around the same time, a coalition of women's organizations published a study of the federal school lunch program which could help children of the poor secure a better meal at least while they were in school. The women's groups found that of the 18 million children receiving free or reduced-price lunches under the program, only 2 million were poor; another 4 million poor children were not being helped. The Johnson Administration had tried to get Congress to restructure this

so that less would go to the middle class and more to the poor, and Congress had adamantly refused. On May 21, CBS broadcast a powerful documentary called Hunger In America.

Several members of Congress reacted to all of this with outrage at the idea that anyone would charge that poeple in their areas were going hungry. Representative W. R. Poage of Texas, chairman of the House Agriculture Committee, wrote to county health officials, the very ones who would be most culpable, and asked if they personally knew of anyone in their county who was starving or seriously hungry. No, replied most of the health officers, and if the people were hungry it was mostly because they were lazy or ignorant. A few said the food programs were inadequate, but Poage did not emphasize that in his report to his collegues.

The response of the politicians was understandable. More puzzling, in light of his professed zeal to get more done, were Freeman's own persistent attacks on the reports. Finding factual errors in the small (they didn't mention that grandma had a pension of $82-a-month), he condemned them in the large. The CBS telecast, he said, was "a biased, one-sided dishonest presentation of a serious national problem."

POOR PEOPLE'S CAMPAIGN MAKES HUNGER THE CENTRAL ISSUE IN ITS APPEAL TO NATION

As the Poor People's Campaign, under the direction of the Southern Christian Leadership Conference, prepared for its March on Washington in the spring of 1968, strategists for both the SCLC and the federal government knew that, as always in these situations, there would have to be a governmental response which would enable the Campaign's leaders to make an honorable withdrawal from the city. First Attorney General Ramsey Clark, then the President himself asked the various government agencies to draw up a list of administrative actions -- which would not cost money -- which could alleviate some of the difficulties of the poor. A March on Washington by a grand coalition of white, black, brown, and red poor, who would encamp in the federal city, bringing their plight to the attention of the country, had been the idea of Martin Luther King. After Dr. King was assassinated, the leadership of the SCLC under Dr. Ralph Abernathy was in disarray. Goals and tactics became difficult to resolve. Miss Wright, who had moved to Washington, was placed in charge of the Campaign's dealings with the government agencies, and worked exhaustingly for weeks for a semblance of order and progress in the demands and responses. On the advice of Miss Wright and others, the Campaign leaders decided upon hunger as the central, most dramatic issue.

Now the issue was at its highest point of public attention. Most of the government agencies did what they could to respond to the marchers' demands. Agriculture, however, remained defensive. In the end, the Agricultrue response consisted of promising to get a food program into each of the thousand counties -- which the President had already done nine months earlier; making more commodities available for surplus distribution; regulations to improve the school lunch program; and improved food packages for infants and expectant mothers. Some Administration officials think the poor were not grateful enough.

As it happended, the major reason this response was so paltry was that the White House was preparing one on a grander scale for the President himself to present, probably in the form of a special message to Congress. It would have revised the entire food

stamp schedule and perhaps lowered the cost to the very poorest to either nothing or a token amount; it would have expanded the size of the food programs so that many more areas could receive them; and it would have carried a commitment to build the programs over time, to the point where every American had an adequate diet. The Budget Bureau squirreled away some money to go with the message. The thought was that it would be delivered around the time of "Solidarity Day," on June 19, when thousands of others were to come to Washington to join the poor in a climactic march.

PRESIDENT'S PROGRAM TO END HUNGER WAS NEVER PRESENTED: HHH TRIES TO INTERCEDE

A number of reasons have been offered for why the President's Solidarity Day Message was never delivered: the mail in the White House was overwhelmingly against the Poor People's Campaign, and Resurrection City was out of control; Abernathy's final speech was likely to carry a stinging denunciation of the war in Vietnam; and the House of Representatives was going to vote at last on the tax bill the following day, and any move at that point by the President to increase government spending might jeopardize the long-negotiated compromise. The most important reason, however, was that the President simply did not want to be in the position of appearing to "respond to pressure." More startling to many was that after the poor had left town and the tax bill had passed, he still declined to move. He was focusing on the budget cuts that had to be made, annoyed at Freeman for getting out in front of him on the issue, still concerned at appearing to respond to pressure, and convinced that now that some legislation was moving on the Hill, it would be unseemly for him, the President, to appear to be running to catch up.

By this time, things were most uncomfortable for Freeman, and he began to press hard at the White House for help -- belatedly, in the opinion of many. His friend Vice President Humphrey tried to help. First Humphrey offered his services as a mediator with the Poor People's Campaign, but the offer was rejected by the White House. Then the Vice President of the United States tried indirect means of communicating with the President. Humphrey wrote to Mrs. Arthur Krim, wife of the President's chief money raiser: "It is just intolerable to me that there is such a problem of malnutrition and undernourishment in the United States. . . . Through it all, there are ways the President could have helped -- in approving some of Orville Freeman's budget requests, in supporting legislation on the Hill, and suggesting administrative change -- but he has not. The thought came that you might be the person who could say a word or two to encourage him."

On Capitol Hill, a bill to expand the food stamp program was moving forward. Originally an Administration request to make a minimal expansion of $20 million (over the $225 million already authorized), under pressure from urban liberals, who threatened to retaliate against a farm bill that was also in the mill, the bill ultimately authorized the program to grow by $90 million in the first year and more after that. After endorsing a substantial increase in the program, Freeman was reprimanded by both Poage and the White House, but when an increase seemed probable, the White House joined in. More spending for the school lunch program was approved, and a special Senate committee was established to "study" the food problem, with a view to trying to maneuver the food programs away from Agriculture committees.

In the very last days of the congressional session, with the President about to make a routine request for additional funds for various agencies that had fallen short of funds,

the machinery around the government -- in the Agriculture Department, in the Budget Bureau, in his own staff -- geared up once more for a presidential request for more funds for food stamps and a major statement on the issue. Instead, he simply requested the $90 million and in the closing rush Congress gave him $55 million. Wait, it was said, for his farewell messages in 1969.

The failure of the Johnson Administration to make substantial progress toward feeding the poor is viewed by many as its most serious domestic failure. It is the cause of disappointment and even anguish on the part of many people within the government. Orville Freeman, for one, professes himself satisfied: "Everything I suggested from the beginning that should be in Lyndon Johnson's program, or damn near it, I have gotten. If he had gone up to Congress with a big feeding program like a bull in a china shop he'd have been under fire, and what would he have gotten? Some newpaper accolades and paudits in some liberal magazines, and trouble with Congress."

FOOD ISSUE POINTS UP THE DANGERS OF THE GROWING DEMAND FOR MORE LOCAL CONTROL

The food issue is an unhappy example of a great deal that can go wrong in Washington. It is also an example, however, of the dangers of the latest fad of "local control." The food programs are examples of programs that are subject to local control -- the local governments request, pay for, and run them -- with the result that those areas which are least responsive to the needs of the poor can also deny them federally proffered food.

The problem is not nearly so insoluble as the events of the past two years would suggest. First of all, given enough money and flexibility, it is generally agreed the food stamp program is not at all a bad device. Choate, for one, suggests that in addition the program be federalized and computerized, to work as automatically and without continual harassment for the recipient as social security. He and a number of others believe that ultimately the food programs ought to be recognized as income supplements and become part of an income maintenace system. That, however, seems a long way off. When asked by the space agency, the food companies have found ingenious ways to pack meals for astronauts in Tootsie-Roll-sized bars or toothpaste-sized tubes. The Pentagon seems to have no trouble keeping the troops in the field well nourished. There are problems of tastes and habits to meet, but if the food industry were less apprehensive about change, or did less cohabiting with the farm block in that great combine they call"agribusiness," a lot more could be done to feed the poor efficiently and inexpensively. The food companies have lately shown more interest in exploring this field -- with government subsidies, of course.

Yet so little was accomplished not because of mechanical or industrial failures, but because of what can happen to men in policy-making positions in Washington. When they stay in a difficult job too long, they can be overwhelmed by the complexity of it all, and they become overly defensive. Man's pride, particularly the pride of a man who can tell himself he has done some good, can overtake his intellectual honesty. Thus, not Southern politicians, not Orville Freeman, not Lyndon Johnson could face the fact when it was pointed out that many people were hungry, that they weren't wearing any clothes. In this they reflected a national trait: it has been easier to stir sustained national concern over hunger in Bihar or Biafra than places at home for which we are more directly responsible. The problems are looked at in terms of the workings of Washington, not in terms of the problems. Decent men could sit and discuss statistical reliability and administrative neatness and the importance of good precedents while people went hungry. The niceties of consensus politics were more important than the needs of some 10 million people. A new Congress and a new Administration ought to be able to improve on that kind of government.

2-23-1969

WASHINGTON REPORT

By Ed Willingham

Poverty - Gen.

Hunger Fighters Winning

Tennessean 2-23-69

WASHINGTON—The warriors in the battle against U.S. hunger are weary and see few victories, but they are nevertheless winning some.

One of these warriors, Dr. Robert Coles, of Harvard University medical services, reminded the Senate's Nutrition committee last week that it had been almost two years since he and five colleagues told of extreme poverty, chronic hunger, and malnutrition they had seen in Mississippi.

He said the group had gone to the Agriculture Department and had been told that the department had to work with Rep. W. R. Poages, D-Texas, and Rep. Jamie L. Whitten, D-Miss., respectively, chairman of the Agriculture committee and chairman of the Agriculture appropriations sub-committee.

'Wasted Time'

He said the group had been told that to make an issue of what they had seen would be to waste their time. But they decided to waste it, nevertheless.

Last week, Coles saw little but wasted time as he told the committee that he had in the past few months made three trips to South Carolina and two to Mississippi. In Beauford and Jasper counties, South Carolina, he said he saw what he saw in Mississippi in 1967.

It was "very much what I regret to say I have seen countless times in 10 years of work in the South, in Appalachia, among migrant farmers and in the ghettoes of our cities.

". . . Why, two years later, must these children still go hungry, still be sick? Why must families essentially without money be asked to pay for food stamps with money they don't have? Why do American children get born without the help of a doctor, and never, never see a doctor in their lives? It is awful, it is humiliating for all of us that these questions still have to be asked in a nation like this . . ."

However, Coles could have taken some solace from the record of the past two years.

Last Tuesday, the Senate nutrition committee, now studying the problem and later to recommend what to do about it, fought on the Senate floor for $250,000 for its work. A $100,000 cut had been recommended.

The fact that the committee got the $250,000 may be less significant than the fact that the Senate decided not to have a record vote on the issue. And when the vote was taken, there were only a few weak "no's" to be heard.

Worm Infestation

On Wednesday, Coles, Dr. James P. Carter, of Vanderbilt and Meharry, and two University of South Carolina officials told of a study that found Negro children in the two South Carolina counties seriously malnourished. Almost 75% of them were infested with worms.

Dr. James Carter
Battles against hunger

"As far as hunger is concerned, you can ask them and they will tell you they are hungry," Dr. Carter testified.

But on Thursday, Secretary of Agriculture Clifford Hardin announced that the neediest of the poor in the two counties would receive free food stamps and that this would be a "pilot" project. This held out hope to those who have longed contended that, for at least some, the stamps should be free.

Secretary of Health, Education, and Welfare Robert Finch is talking about action on the hunger problem. And it has become possible that Agriculture, unless it bears fruit, will lose some of the vineyard it has presided over.

Encouragement also should come from the Agriculture budget for food programs—school lunch, special milk for school, commodity distribution, breakfast at school, and food stamps.

Agriculture Department obligations for these purposes have increased from $900 million in fiscal 1968 to $1.2 billion in the current fiscal year. And $1.4 billion is in the budget for fiscal 1970.

This is an increase of half a billion dollars in two years.

When Orville Freeman left as secretary of the Department of Agriculture he said an additional $1 billion was needed to do what should be done in the food field. Even this could come if the warriors faint not.

"PILOT PROGRAM" OF FOOD STAMPS IN BEAUFORT AND JASPER COUNTIES TO MEET CONDITIONS OF MALNUTRITION

PERSONS ELIGIBLE FOR FREE FOOD STAMPS: Families of 3 or less earning less than $20 monthly.

Families of 4 or more earning less than $30 monthly.

WHAT CHANGES DOES THE PILOT PROGRAM PROVIDE? Previously, families earning under $30 monthly paid 50¢ per person monthly - with a maximum of $3 for food stamps. Now those families earning less than $30 monthly will receive stamps free.

HOW MANY FAMILIES IN BEAUFORT COUNTY EARNING LESS THAN $30 A MONTH ARE ABLE TO PAY THE PRESENT MONTHLY CHARGE OF 50 CENTS EACH? The director of the Beaufort County Welfare Department stated on February 26 that 179 out of the 180 families certified in this income category are now obtaining their food stamps. Thus, the "pilot program" will enable one family to get stamps that was not using them before. Such a program cannot cure malnutrition in Beaufort County.

HOW DOES THE "PILOT PROGRAM HELP FAMILIES EARNING MORE THAN $30 monthly? Not at all.

WHAT PERCENTAGE OF THE TOTAL POPULATION DOES THIS GROUP REPRESENT? Of the 8,377 families in Beaufort (1960 census), 180 families represent 2 percent of the total population. 14 percent of the Beaufort County population earn less than $1,000 a year, another 13 percent earn less than $2,000, and a total of 41 percent earn below $3,000, the established amount denoting poverty.

The $30 monthly category entitled to free food stamps represent an annual income of $360.00- or one-tenth the poverty level income.

WHY SHOULD THE "PILOT PROGRAM" BE EXPANDED? 99.4 percent of the families to be covered by the pilot program are already participating; this group represents 20 percent of the families taking advantage of the program.

Families above the $30 monthly income are the ones who often cannot afford to buy food stamps, because so little of their minimal income would be left for electricity, fuel, school costs, clothing, and rent for some. Conditions of malnutrition cannot be dealt with through the program as presently set up.

HOW ADEQUATE IS THE AMOUNT OF FOOD STAMPS ISSUED PROVIDING A NUTRITIONAL DIET? Totally inadequate to correct problems of malnutrition.

WHAT IS THE AMOUNT OF FOOD STAMPS AVAILABLE UNDER THE PILOT PROGRAM?

FAMILY SIZE	TOTAL STAMPS ISSUED FOR MONTH	AMOUNT PER MONTH PER PERSON
1	$16	$16
3	44	14.67
5	66	13.20
7	80	11.45
9	90	10.00

HOW MUCH CONSTITUTES A NUTRITIONAL DIET? The S. C. Department of Welfare in its manual uses a chart based on the findings in 1948 by the Department of Agriculture and the S. C. Welfare Department entitled "Cost Of Minimum Food Budget According to Age"

Age		Amount Per Month
Child	1-3 years	$ 9.00
	7-9 years	14.00
Boy	13-18 years	19.00
Adult		16.50

The Agriculture Research Service of the Department of Agriculture gives food plans at three cost levels in September, 1968:

		Low Cost	Moderate Cost Plan	Liberal Cost Plan
Child	1-3 years	$18.20	22.80	$27.30
"	6-9 years	26.30	33.70	41.80
Boy	15-20 years	41.20	52.20	62.80
Man	20-35 years	35.50	45.20	56.20

WHAT DO SOME PEOPLE SAY WHO GET FOOD STAMPS? "My stamps run out about the third week" ---- "I can't afford to give my child milk on the food stamps"----"I can't get soap or toilet paper with food stamps, and nothing left I can use to buy them"

HOW MANY STAMPS SHOULD BE PROVIDED UNDER THE "PILOT PROGRAM?" Enough stamps to provide a nutritional diet in 1968 - an average of at least $30 per month per person.

WHAT MINIMUN PROVISION SHOULD A "PILOT PROGRAM" CONTAIN?

1. Free food stamps to families with an income of less than $40 per person; families earning more should pay no more than 20 percent of their income.

2. Enough food stamps to provide a nutritional diet.

3. Creation of an Advisory Committee to oversee the administration of the program; most members of the committee should come from persons receiving food stamps.

4. Additional staff be hired for the program, to come from low-income groups.

5. Food stamps should be available by mail on a weekly basis, if desired.

6. That transportation be provided in rural areas to food stores.

7. That a nutritional-educational program be instituted, staffed by people who can communicate with the poor.

8. That all persons with income less than $30 a month be placed on welfare immediately.

Hazel Frazier
Joseph McDomick, Jr.

February 28, 1969

2-28-69

Hunger

S.C. Hunger Group Hits Free Food Stamp Rules

By Bruce Galphin
Washington Post Staff Writer

A group representing hungry people in two South Carolina counties vowed yesterday to send a busload of their number to Washington this weekend to protest rules of a new free food stamp program.

"We want people to see the importance of making the pilot program successful," said a spokesman of Welfare Rights chapters in Beaufort and Jasper Counties.

At meetings in the counties Wednesday night, about 150 members of the group vowed to boycott the stamp program —despite their need—to dramatize their demands.

When they reach Washington, they say they will seek "confrontations" with people who administer the food program, and with other officials like Sen. Ernest Hollings (D-S.C.) and James Farmer, Assistant Secretary of Health, Education and Welfare.

Meanwhile, another Deep South Senator joined Hollings in appealing for Federal food help. Sen. Herman E. Talmadge (D-Ga.) asked Agriculture Secretary Clifford M. Hardin whether free stamps can be provided for Georgia families "with grave hunger problems."

Talmadge, a member of the Senate Agriculture Committee, said he realized that under present law, it is not possible "to distribute free food stamps to every person who may be in need."

The Georgia Senator wrote Hardin at the request of William H. Burson, Georgia's welfare director.

Despite the protest about the rules, the Agriculture Department said yesterday that it will launch its pilot free stamp program next Monday.

In general, the Welfare Rights group wants liberalized allowances, participation of the poor in administering the program, and hiring of staffers to inform the hungry of the new program.

Thus far, only about 200 families have been certified eligible for free stamps on the basis that they have incomes of less than $30 a month. Hollings and Welfare Rights people estimate about 2500 people actually are eligible.

The Welfare Rights demands also included:

- $40 a month in food stamps for each eligible person. (The present sliding scale is much lower.)
- Placing all persons under the $30-a-month level on welfare immediately. To be eligible now, persons must be elderly, blind, disabled or a dependent child.
- Providing free transportation to grocery stores for persons on coastal islands and in other isolated areas.
- Establishing an education program on nutrition, taught by "those who can communicate with the poor."
- Making stamps available weekly instead of monthly, and mailing them when requested.
- Adding to the food stamp staff, and training poor people to fill the jobs.

WASHINGTON POST - February 28, 1969

hold for fact sheet

March 11, 1969

M E M O R A N D U M

TO: Glenda Bartley

FROM: Emory F. Via

file

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Would it be possible to have someone do a "fact sheet" which could be sent out with the film "Hunger in America." There are a few specifications which probably need updating such as any changes in the extent of the Food Stamp Program, its cost to recipients, and any change in the Agriculture Department's willingness to use its emergency power and in such matters as changes in the Surplus Commodities program or the Agriculture Department's return of funds to the Treasury which might have been used for food distribution.

The briefer, the better. If whoever does it would like to see the film again this could be arranged. I would like such a person's comments also on what might be included in a discussion guide to go out with the film.

Let me know what the possibilities are and I can begin to work out arrangements with whoever you think should take this on.

Thanks.

EFV/km

Wall Street Jnl 3-18-69

Attack on Hunger

Administration Moves To Fight Malnutrition In Cities, Rural South

Food Stamp Plan Expansion Mulled; Pregnant Women, Children Get Special Aid

Enriched Soft Drink Studied

By BURT SCHORR
Staff Reporter of THE WALL STREET JOURNAL

NEWARK, N.J.—The Government's mounting concern about malnutrition is making itself felt in Northern slums as well as in the dirt-poor rural Southern communities that have been in the spotlight lately.

Even the traditionally farm-oriented Agriculture Department is active in the cities—as Mrs. Nanette Adams of this riot-scarred metropolis can attest.

Mrs. Adams is a welfare recipient, a mother of nine and a black activist who wears her hair Afro style. She's also a leader of Newark's "nutrition squad"—14 Negro and Puerto Rican women hired by the New Jersey Cooperative Extension Service under a new Agriculture Department "Outreach" program. Their mission is to boost participation in Federal food relief programs and teach the poor to prepare more nutritious meals.

Until now, state extension services have concentrated on serving middle-class, mostly white farm families. But the prime target area for Mrs. Adams and her co-workers is Newark's shabby Central and East Wards. In only a few weeks, they have persuaded scores of Negro and Puerto Rican families to enroll in the city's underutilized program for distributing free Federal commodities. One of those aided is a Spanish-speaking mother who had been pacifying her 10 children's hunger pangs with sugared water.

Bad Budgeting

By July 1, some 5,000 such nutrition aides in nearly 600 urban and rural areas nationwide are expected to be counseling 200,000 poor families through repeated home calls. Mrs. Adams, for one, has no illusions about the difficulty of the assignment. Many poor Newark parents fail to budget their limited incomes to provide children with milk, orange juice and other special food needs, she says.

Of special aid to ill-nourished city folk, too, may be an effort sponsored by the Office of Economic Opportunity to develop cheap but highly nutritious food products for the poor. P. Ballantine & Sons Inc., a Newark brewing company, hopes to begin test sales in June of a regular-priced soft drink laced with protein and vitamins. The Pillsbury Co. of Minneapolis is considering marketing a high-nutrition sandwich spread, candy bar or food stick.

Under a little-noticed program aiding city and country folk alike, the Agriculture Department is beginning to make available special rations of milk, meat and other nutritious foods to low-income expectant mothers and children six years old and under. At hundreds of clinics and health centers around the country, physicians and nurses soon will be able to prescribe the rations without regard to any Government food assistance that patients already may be getting. Spending on this program will reach nearly $6 million this year and more than five times that much in fiscal 1970, officials calculate.

Food Stamp Expansion

All these efforts could be eclipsed by more important moves now under consideration by the Nixon Administration. One is an expansion of the food stamp program, under which the poor buy stamps at less than their face value and cash them in for food at grocery stores.

Agriculture Department planners want stamp outlays boosted to around $500 million in the fiscal year beginning July 1. The Johnson Administration's budget for fiscal 1970 calls for spending $340 million, up from $280 million this year. Any upward revision would have to clear the Budget Bureau and the Urban Affairs Council. But there are strong hints that the Nixon Administration wants to broaden use of stamps dramatically and will ask Congress for the additional funds.

Even more significant may be a proposal for higher welfare payments to the extra-needy. Health, Education and Welfare officials are considering ways to boost cash relief in Southern states. A Federal contribution of $30 monthly in Mississippi would quadruple the state's average payment per person, making it easier for families on welfare to scrape up food stamp money and increase their food buying.

Resistance Likely

These costly and controversial plans may not materialize in full any time soon. They'll meet resistance, on budget and other grounds, both in the Administration and in Congress. Some Southerners insist the need for more aid to the undernourished has been exaggerated.

Senate liberals first turned national attention on how the poor eat with hearings that started in Mississippi nearly two years ago and are still continuing. Testimony from scores of witnesses before a special committee headed by South Dakota Sen. George McGovern has indicated that millions of poor families are ill fed.

The most compelling corroborative evidence came a few weeks ago with disclosure of preliminary findings from a nationwide Government nutrition survey. The initial sampling covered 12,000 persons in Texas, Louisiana, Kentucky and New York, most of them poor Negroes and Latin Americans. The studies showed that 15% to 20% of those surveyed were so deficient in essential nutrients that their growth had been stunted or they had been left highly vulnerable to disease.

Though the special Senate committee isn't empowered to draft legislation, it seems clear that testimony it has taken has begun to build support for more action against malnutrition. One sign: The overwhelming Senate vote last month to reject a proposed $100,000 cut in the committee's 1969 budget, providing instead the full $250,000 requested. Also notable was the confession by Democratic Sen. Ernest Hollings of South Carolina that some people in his state were hungry. Pressed by Sens. Hollings and McGovern, the Agriculture Department broke with Johnson Administration precedents and

Please Turn to Page 21, Column 1

Attack on Hunger: Administration Is Moving to Combat Malnutrition

Continued From Page One

began a test of free food stamps in Beaufort and Jasper counties, S.C.

The real test of Congressional sentiment probably won't occur until after President Nixon sends up his anticipated nutrition message. The proposals may be ready soon, however, perhaps in the next 10 days.

The President's specific recommendations can't yet be predicted. But Agriculture Secretary Clifford Hardin has declared that the Nixon Administration hopes to move with every possible resource . . . to remove malnutrition from our land," and department planners are taking this as their cue.

Cutting Food Stamp Costs

Their $500 million food stamp proposal might bring the total number of recipients to nearly five million persons by June 30, 1970, compared with the 3.6 million projected for June 30 this year. The expansion might come largely through lowering stamp costs for households whose monthly income totals over $70. (Recent liberalizations have benefited those below that level.)

Agriculture Department planners also want an expansion of the school lunch program. They figure it provides only three million of about seven million poverty-level students with free or reduced-price meals. Many of the remaining four million attend schools in older cities like Philadelphia or Detroit where the program doesn't operate in rundown core areas for lack of cafeteria facilities.

The supplemental feeding for mothers and small children has already been endorsed by the conservative Democratic chairmen of the agriculture appropriations subcommittees, Sen. Spessard Holland of Florida and Rep. Jamie Whitten of Mississippi. The program is due to serve some one million persons by mid-1970.

In Guilford County (Greensboro), N.C., a pilot project now in operation means public health nurses no longer need dig into their own purses to buy baby food for moneyless mothers being released from maternity wards. Instead, doctors write food prescriptions for redemption at the county commodity distribution center. (One month's ration for newborn infants: 30 cans of evaporated milk, 48 ounces of corn syrup, 28 ounces of farina and 46 ounces of canned fruit juice.)

Explaining Directions

Two nutrition aides trained by the North Carolina Extension Service make follow-up visits to the homes where food has been prescribed. "Many of our mothers can't read enough to learn from package directions how to mix dry milk or make a tasty meal from powdered scrambled eggs; that's where the aides come in," says Dr. Sarah T. Morrow, Guilford County health director.

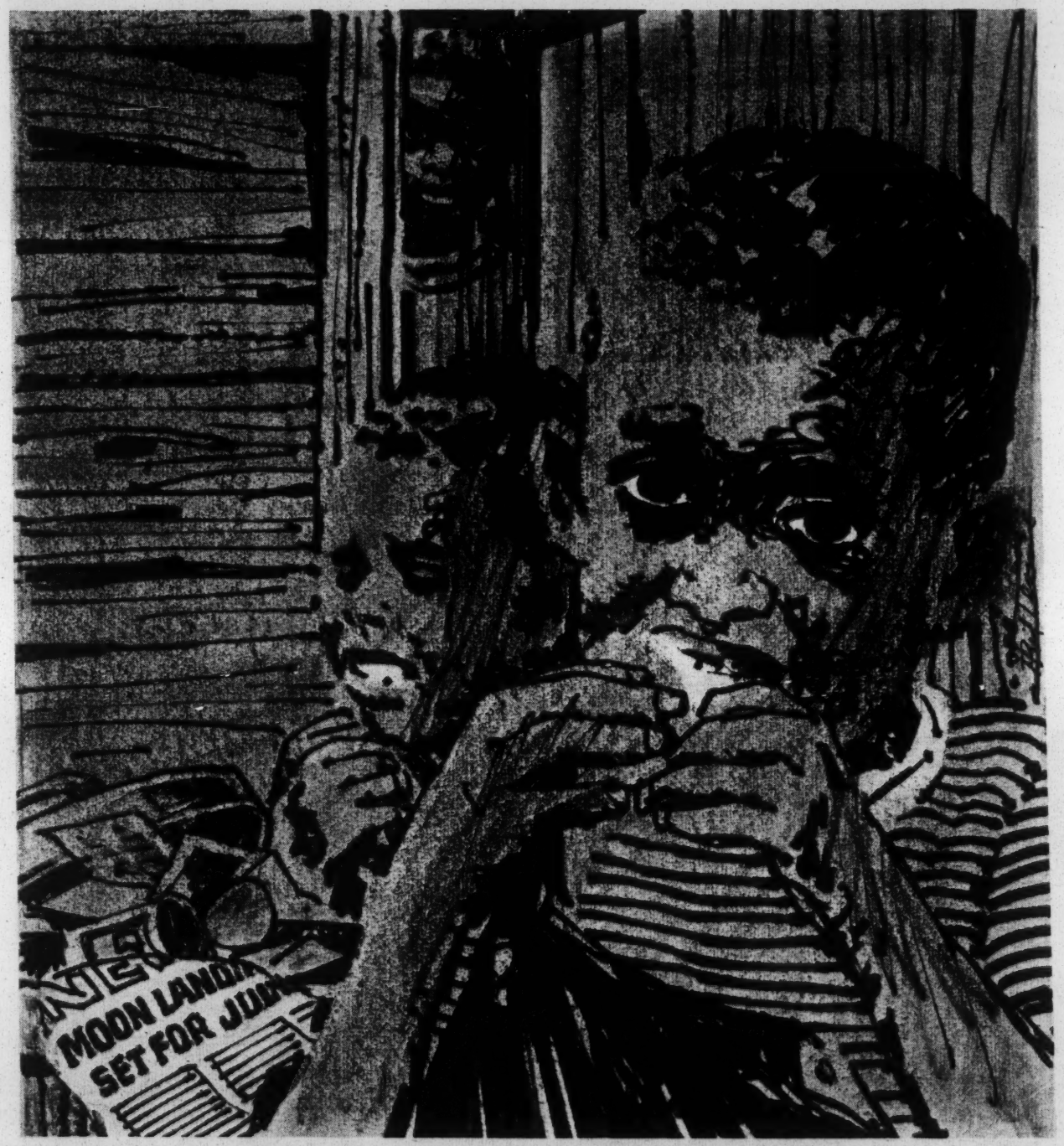
Here in Newark, the nutrition aides play a similar role. Knocking on doors in a ramshackle apartment building is how one member of the city's nutrition squad, Mrs. Gladice Pagan, discovered the 10 children (ages eight months to 13 years) whose mother was feeding them sugared water.

The family ran out of food money after the father became too ill to work at his $98-a-week candy-factory job. Mrs. Eloise McClindon, the extension service nutritionist in charge here, contributed $4 of her own to make an immediate purchase of milk for the children. Then one aide helped the mother obtain her initial ration of free Federal commodities (shelling out $2 to have the foodstuffs delivered to the woman's home) while a second looked after her children. The aides have continued to visit the family every few days.

file Hunger – ~~Copy to PA & Res~~ OK [69]

The Irony of Hunger in the Land of Plenty

It Exists, and Children Feel Its Effects the Rest of Their Lives



"They live on starches — grits, bread, flavored water."

— From Southern Regional Council Doctors' Report on Hunger.

NEWS photos in the daily press occasionally show starving Biafran children, innocent victims of the war between the African nations of Nigeria and Biafra. Their bellies are bloated and their hair is curiously blond.

They are suffering from kwashiorkor, a disease caused by severe protein and general nutritional deficiency.

Americans, who pride themselves on living in the best-fed nation on earth, would find it hard to believe that many cases of kwashiorkor exist in the United States.

In fact, hunger and malnutrition may be far more serious in this country than has been generally assumed, judging from reports of doctors conducting studies in poorer sections of Texas, Louisiana, Kentucky, New York, Mississippi, and other areas.

One such report was given recently by Dr. Arnold E. Schaefer, director of a National Nutritional Survey conducted for a senate committee headed by Sen. George McGovern (D., S.D.). It is the first complete study ever

nities showed that malnutrition was the same or in some cases higher than in six Central American countries. He told the committee seven cases of kwashiorkor were found thus far during the National Nutritional Survey.

"We did not expect to find such cases in the United States," he said. "It is important to bear in mind, and perhaps shocking to realize, that the problems in the poverty groups in the U.S. seem to be very similar to those we encountered in the developing countries."

Other doctors and scientists in the nutritional study group told the committee how malnutrition stunts millions of children even before they are born. It begins with the under-fed pregnant woman whose fetus fails to develop normally, causing a high rate of infant mortality.

Weak Bodies, Minds

Among infants who do survive there is a high rate of mental retardation. Further ill-feeding in the critical early childhood years, from birth to age 6, often means smaller and weaker bod-

pointed out that symptoms in individuals are apt to appear only after prolonged malnutrition.

Dr. Schaefer [illegible]

"We saw children whose nutritional and medical condition we can only describe as shocking — even to a group of phy-

nored. They are living under such primitive conditions that we found it hard to believe we were examining American chil-

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One such report was given recently by Dr. Arnold E. Schaefer, director of a National Nutritional Survey conducted for a senate committee headed by Sen. George McGovern (D., S.D.). It is the first complete study ever to assess the nutritional health of the U.S.

Another report, published a few months ago, detailed findings of a blue ribbon group of physicians after a survey of Negro children in a six-county area of Mississippi.

Not Pleasant Reading

What both groups of doctors found does not make for pleasant reading. But bad conditions anywhere have a tendency to remain unchanged until they are exposed to the glare of public opinion. And there *are* solutions to the twin problems of hunger and malnutrition in the U.S.

From 1956 to 1968, Dr. Schaefer headed a study of nutritional conditions in 33 developing countries of the world. From the preliminary study, he reported, conditions in the U.S. are as bad, or worse, than the developing countries of Latin America, Asia and Africa.

He noted, for example, that his samplings in Texas commu-

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Weak Bodies, Minds

Among infants who do survive there is a high rate of mental retardation. Further ill-feeding in the critical early childhood years, from birth to age 6, often means smaller and weaker bodies and impaired minds.

"Our studies to date clearly indicate that there is malnutrition," Schaefer said, "and in our opinion, it occurs in an unexpectedly large proportion of our sample population.

"Inadequate food, caloric and nutrient intake, if prolonged, results in weakness, fatigue, susceptibility to disease, and inability to carry out the simplest tasks, and as you know, in its extreme form leads to starvation and death."

The nutritional survey team eventually will study approximately 70,000 persons in ten states. To date, 12,000 have been studied, mostly in Texas. The majority of those studied have an annual family income of less than $3,000.

All Ages Under Study

Fifty-five percent of the sample were Negro, 25 percent were Spanish-Americans, and all age groups were studied. The report

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— From Southern Regional Council Doctors' Report on Hunger.

pointed out that symptoms in individuals are apt to appear only after prolonged malnutrition.

Dr. Schaefer reported finding cases of rickets among children, showing a vitamin D deficiency; winged scapula and pot-belly, which shows a protein and calorie deficiency; goiter, which indicates low iodine intake; anemia; and changes in hair, skin and lips.

The dental picture was even more marked. Eighteen percent of all subjects 10 years of age and over reported it was difficult and painful to bite or chew food. Ninety-six percent had an average of 10 teeth either decayed, filled or missing.

Malnutrition also has pronounced effects on growth of children. In the study thus far, children between ages 1 and 3 fell below the average height reported for U.S. children. It is estimated that 3½ percent of all children studied had retarded growth.

SOME of the physicians who made the Mississippi study also had done a medical study in Appalachia, as well as some other areas of the south. They reported a similarity of conditions in all areas they had observed.

The doctors pointed out the variety of medical services needed by children, in addition to food that has vitamins and minerals and an adequate balance of protein, carbohydrates and fats. They included vaccines, drugs, diagnostic evaluation and corrective surgery.

Condition 'Shocking'

"While all these facts are (or should be) obvious," their report stated, "we saw families who could not take food for granted, let alone any medical care."

"We saw children whose nutritional and medical condition we can only describe as shocking — even to a group of physicians whose work involves daily confrontation with disease and suffering," the report continued.

"In child after child we saw evidence of vitamin and mineral deficiencies; serious, untreated skin infections and ulcerations; eye and ear diseases, also unattended bone diseases secondary to poor food intake; the prevalence of bacterial and parasitic disease, as well as severe anemia, with resulting loss of energy and ability to live a normally active life . . . "

"In boys and girls in every county we visited, we saw obvious evidence of severe malnutrition, with injury to the body's tissues — its muscles, bones, and skin, as well as an associated psychological state of fatigue, listlessness and exhaustion."

The doctors reported they saw children afflicted with chronic diarrhea, chronic sores, chronic leg and arm (untreated) injuries and deformities.

Fed by Neighbors

"We saw homes with children who are lucky to eat one meal a day — and that one inadequate so far as vitamins, minerals or protein is concerned," they said. "We saw children who don't get to drink milk, don't get to eat fruit, green vegetables, or meat. They live on starches — grits, bread, flavored water.

"We saw children fed by neighbors who give scraps of food to children whose own parents have nothing to give them. Not only are these children receiving no food from the government, they are also getting no medical attention whatsoever.

"They are out of sight and ignored. They are living under such primitive conditions that we found it hard to believe we were examining American children of the 20th Century.

"We do not want to quibble over words, but 'malnutrition' is not quite what we found. The boys and girls we saw were hungry — weak, in pain, sick; their lives are being shortened; they are, in fact, visibly and predictably losing their health, their energy, their spirit.

"They are suffering from hunger and disease and directly or indirectly they are dying from them — which is exactly what 'starvation' means."

Free Food Stamps

The physicians pointed out that many families have no money coming in, but since the father is "able-bodied" they are ruled ineligible for welfare. The family does not have the money necessary to buy food stamps.

Their recommendation is that the food stamp program should be changed so that the rural poor can obtain food stamps free. Food distribution activities should be closely regulated and supervised so it ends up in the hands of those who need it.

They recommend that the government change its system of welfare support, so its funds directly reach those who need them, without political or racial bias, and in an amount adequate to their minimum needs for food, clothing and medical care.

Their conclusion expresses our feeling: "It is unbelievable to us that a nation as rich as ours, with all its technological and scientific resources, has to permit thousands and thousands of children to go hungry, go sick, and die grim and premature deaths."

"They are suffering from hunger and disease and directly or indirectly they are dying from them - - - which is exactly what 'starvation' means."

Penn News

Penn Community Services, St. Helena Island, Frogmore, South Carolina

MARCH, 1969

HUNGER IN BEAUFORT

This southern tip of South Carolina has been much in the news lately in connection with revelations about the extent of hunger and malnutrition in Beaufort and Jasper Counties and the efforts being made to combat these serious problems.

Senator Ernest Hollings (D-S.C.) made a tour of Beaufort in late January, and gained headlines in February when he told a Senate Committee that "there is hunger in South Carolina. There is substantial hunger. I have seen it with my own eyes."

Hollings' tour came after many years of work by Dr. Donald Gatch, local physician, Penn Center, and others, to expose the conditions of hunger, malnutrition and intestinal parasitism in the area.

Beaufort and Jasper Counties have now been made the focal point of the federal government's pilot program to distribute free food stamps.

The feeling is very strong, however, among local welfare and food stamp recipients that the pilot program is a totally inadequate response to the pressing problems in the area. They point out that in order to qualify for free food stamps, a family must have a total income of less than $30. a month. The Welfare Department has certified that there are 180 families in Beaufort County with this income level. 179 of these have already been participating in the food stamp program. So in terms of drawing in new people who could not

(Continued on page 3)

COMMUNITY DEVELOPMENT PROGRAM

PENN is now in the midst of its fifth community development training program, with 8 participants from Louisiana and 6 from Beaufort County, South Carolina.

The program runs for 15 weeks, with the first 6 spent at Penn in classes covering conditions in the home state, community development as a discipline, and resources available to community development workers.

Then the participants return to their home communities for 7 weeks trying to make practical application of the things they have learned at Penn. At the end of that period they return to Penn for 2 weeks in a final session where they draw on both practical lessons and theoretical concepts of community development work.

The families of the participants are allotted a subsidy for the 15 weeks, so that those who would not otherwise be financially able can participate in the program.

Previous programs have had participants from South Carolina, Alabama, Mississippi and Georgia.

The program emphasizes education of all kinds, including education through action. Participants in the current session have worked actively with the local welfare rights organization (whose chairman Mrs. Hazel Frazier attended the last training program), and participated in the bus trip to Washington to discuss the inadequacies of the pilot food stamp program with the officials involved.

Food Stamp Move Faces Obstacles

WASHINGTON (AP) — Dr. Robert Coles recalls that two years ago he and five other physicians were told "we were wasting our time" when they sought to convince federal officials something should be done quickly about extreme hunger in the United States.

And when senators sought then to get the Johnson administration to distribute free food in areas of severe malnutrition, they ware rebuffed by federal officials who contended they were without authority to do this.

But last week, in just 90 minutes, two senators convinced Secretary of agriculture Clifford Hardin that he should move against hunger in rural South Carolina by authorizing free food stamps to the poorest of the poor in two counties.

"There's an unwritten rule in Washington that it takes two years for an idea to germinate," said Sen. George S. McGovern, D-S.D., one of the two senators and the chairman of a special Senate committee investigating the extent of hunger in affluent America.

Last week the idea germinated, and the fight to alert the nation it should move more aggressively against hunger at last achieved some measure of success.

These things happened:

—The Senate, rejecting a 40 per cent cut by its Rules Committee, authorized the full $250,000 budget for the committee's investigation. Support was so overwhelming opponents yielded without a roll call. McGovern said, "They were really making a commitment to end hunger in the United States."

—Sen. Ernest F. Hollings, D-S.C., leaped into the vanguard of the fight against hunger with a frank admission that, as governor, he deliberately covered up the problem of hunger and disease. "You don't catch industry with worms—maybe fish, but not industry," he said.

—Hollings' Republican state colleague, Sen. Strom Thurmond, muted his earlier opposition to the hunger probe and said "The main concern should be to find the most effective way to resolve these needs."

—Testimony during three days of hearings clearly established that, in at least two counties of rural South Carolina, hunger and disease are widespread and existing federal efforts are having limited impact.

One witness testified there is evidence that as many as one million persons in the Southeastern United States are afflicted with parasites, including intestinal worms up to 15 inches long

And Dr. Coles, a Harvard psychiatrist-physician, testified that conditions in many places "are a medical and moral emergency of incalculable proportions."

—Sen. Allen Ellender, D-La., a committee member who had sought throughout to defend the Agriculture Department and blame ineptitude at the local level, learned to his surprise parasites exist in his state.

And when one witness described the difficulty people have in existing on meager food and funds, Ellender agreed that "I can't see how these families can live with such a small income."

—Hardin, reversing the policies of Secretary Orville L. Freeman under the Johnson administration, launched what he said is an experiment and what the department termed an unprecedented action in authorizing the first distribution of food stamps without any charge to the recipients. Hopefully, distribution may begin within a week.

"I think it was a real breakthrough," McGovern told a reporter after he and Hollings met with Hardin Wednesday night.

And as the committee concluded the South Carolina phase of its hearings Thursday, the South Dakota Democrat said:

"If we can get the concept established that the poorest people ought to get fed for free, we're well on the way to eliminating malnutrition in the United States."

McGovern said he is pleased at the evidence of changed attitudes in Congress and the executive branch and said. "I think the climate is much better than it was two years ago."

But these significant problems remain:

—Lack of funds. Hardin is using a $45-million fund established by Congress last year for child feeding and other food distribution, but this is a relatively small amount. Aid in South Carolina will only go to a small number of desperately poor, not even to many of those whose plight was described to the Senate committee.

—Health. Testimony to the committee indicated that nothing short of a massive education, sanitation and disease eradication program will improve conditions in such areas since most youngsters who receive one-shot treatment are quickly reinfected when they return home.

—Public apathy. As Sen. Philip A. Hart, D-Mich., put it, "I get a lot more mail expressing outrage at people dying in Biafra than on people starving in Detroit. And they probably passed it (the starvation) going in on the freeway to mail the letter."

—Local resistance. Hardin made certain state and local officials were willing before he announced the South Carolina pilot program. But witnesses told the committee that administration of various food and welfare programs has been hampered by the attitudes on the state and local levels.

—"The political facts"—to use Hollings' term. He said, "Politically, hunger cannot be seen through the eyes of any but the neighbor. The quickest way to cut off help to the hungry is for an outsider to head the program."

—Congressional resistance. While strong support for increased federal food programs has been evident in the Senate for some time, some key House members have succeeded in balking most efforts. Hardin is well aware that congressional committees hold the key to how much money he gets for any new or expanded food programs.

And despite the path blazed this week by Hollings, there still is a tendency among officeholders to become defensive when conditions in their states are criticized.

Thus, Sen. Spessard L. Holland, D-Fla., responded to a newspaper story last week about poor living conditions among migrant workers in Florida's Collier County by saying that when he was there at Christmas he saw some migrants on the streets "and they were apparently well fed, healthy, laughing and happy."

McGovern's committee, however, will go to the scene to find out. Its next hearings will be in Collier County on March 10 and 11.

Palmetto Edition

CHARLESTON, S. C.
FEBRUARY 23, 1969

The News and Courier

South Carolina's Most Outspoken Newspaper

FOUNDED JAN. 10, 1803

Thomas R. Waring, Editor — Anthony Harrigan, Assistant Editor

Cowl Rider, Associate Editor — J. Douglas Donehue, Managing Editor

(continued from page 1)
previously afford to participate, it has added only one family to the rolls of food stamp recipients.

The program does nothing to help families with an income of more than $30. a month, though they are still far below the poverty level.

Press reports say that the entire pilot program is costing the government only $250-500 a month, hardly indicative of a serious commitment to eradicate hunger in the two counties, much less in the whole country.

These points, along with a number of recommendations for strengthening the program, were made directly to the legislators and Agriculture Department officials responsible for the program by a busload of local people, participants in the program, who traveled to Washington in early March.

Since this is a pilot program, designed to be copied throughout the country, people here feel that it should be as adequate as possible. The final word in the battle against hunger has not yet been heard.

BLACK OFFICIALS MEET

PENN was the site of a mid-March Leadership Training Conference for black elected officials and community leaders from Beaufort and Jasper Counties, sponsored by the Scholarship, Education and Defense Fund For Racial Equality (SEDFRE).

The keynote speaker was Mr. Lucius Amerson, sheriff of Macon County, Alabama--the first black man to hold that office in the Deep South in this century.

Among those who issued the call for the conference were Mrs. Frieda Mitchell, secretary at Penn and a member of the Beaufort County School Board, and Mr. Leroy Browne, Penn's maintenance supervisor, who has served for many years on the Beaufort County Board of Directors.

CONFERENCE FACILITIES IN ACTIVE USE

PENN'S conference facilities have been in active use during the past year by civil rights, educational, and church groups.

The Southern Christian Leadership Conference (SCLC), founded by the late Dr. Martin Luther King, held a staff retreat at Penn in January, 1969. Two meetings of the SCLC Citizenship Education Program were held at Penn in 1968, as well as the staff retreat where much of the planning for the Poor Peoples' Campaign was done.

The conference center has also been used in recent months by the World Press Institute, the Southern Education Foundation, the American Friends Service Committee, the United Christian Missionary Society and others.

Penn began making its facilities available for conferences in 1955, and was for many years one of the few places in the South where interracial groups could meet.

PEACE CORPS TRAINING AT PENN

Over 40 Peace Corps trainees spent several months at Penn in the fall of 1968, preparing for their work in Botswana, in Southern Africa.

The trainees were given instruction in Setswana by national language teachers, and trained in teaching, cooperative-auditing, and construction as practical skills for their two years abroad.

This was the third Peace Corps training session held at Penn. The first took place in 1967 for trainees going to Gabon, in Central Africa.

Project director for the Botswana session was Joseph McDomick, Jr., who spent two years as a Peace Corps volunteer in Brazil before joining the Penn staff in 1964.

* * * * * * * * * * * * * * * * * * * *

STAFF NEWS

Joseph McDomick, Jr. has been named co-director with *Bill Engelhardt* of the Community Development Training Program at Penn.....*Herman Pierre, Jr.* and *Johnnie Mae Patterson* are the new field supervisors in the CD program. Pierre is a native of New Orleans and a graduate of Morehouse College. Miss Patterson is from Hilton Head Island in Beaufort County. She is a graduate of Spelman College and a former high school teacher.....Former field supervisor *Everett Gill* has taken a job with New Careers for the Poor in Asheville, North Carolina.....*Sadie Brown* from the Neighborhood Youth Corps has been working in the Penn office since October as a clerical assistant.....*Dave Roberts* and *Dave Nolan* have begun their alternative service at Penn. Roberts, from Guilford College in North Carolina, has replaced Bob Passmore as conference and mailing coordinator. Nolan, from Nashville, is working as administrative aide in the office..... .....*Elizabeth Siceloff* has resigned her part-time job of handling public relations after working with Penn for 19 years. She hopes to be able to devote some time to writing in the future.

PENN COMMUNITY SERVICES, INC.
Frogmore, South Carolina 29920

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MEANY (cont'd)

He said that AFL-CIO unions have sponsored and operated Job Corps camps and therefore have "ample evidence" that the program is helping poor youths become "productive citizens employed at decent jobs with decent pay."

"To take away this option for a better life," he added, "would be a cruel blow directed at a group who have already known more than their share of failure and disappointment at the hands of the larger society."

Pres. Hunter P. Wharton of the Operating Engineers, which has helped provide training for equipment operators at Job Corps camps in Tennessee and Montana, wrote all members of Congress urging them to resist the proposed cut.

He attached copies of several of the many letters received by staffs at these camps from graduates of the training centers "who have gone to work to become taxpayers instead of tax eaters."

Wharton emphasized that many of the young persons who come into the Job Corps actually must be trained in reading to remove them from the "functionally illiterate" category.

"Where will they go? Our society cannot afford to carry them forever and they are not capable of caring for themselves," he said.

The Carpenters also assailed the planned cutback. Four of seven Job Corps centers in which the union is training slum youths in carpenter skills are among those slated for closing.

Charging that the cutback was "false economy," Carpenters Treas. Peter Terzick said the centers are "doing a wonderful job" in converting untrained youth into skilled craftsmen.

Among other developments in the aftermath of the Administration's action:

- The House Education & Labor Committee became a center of the fight in Congress against the cutbacks. It heard the first of what promised to be scores of witnesses opposed to the shutdown of the 59 centers.
- The committee's staff estimated that the cut in the Job Corps actually would cost $102 million—$2 million more than it is supposed to save—through losses on equipment, construction, renovation, contracts and termination of services.
- Republican and Democratic congressmen alike were angered over the lack of advance notice of centers to be closed. An aide of Rep. John P. Saylor (R-Pa.) said the oversight was typical of the Administration's "non-working relationship with the Hill."
- Youths at the Kilmer Job Corps Center, where 1,700 are being trained in job skills, conducted a peaceful march to demonstrate their opposition to the center's scheduled closing. They issued a statement asking, "If the Job Corps is closed down, where will we get our chance?"

Next Guarantee: Right to Be Fed

By DAVID HAWKINS
Editorial Staff Writer

THE RIGHT to be fed has not yet acquired any constitutional guarantees. But lawyers for the War on Poverty are heading that way by arguing that selective relief of hunger denies equal protection of the laws to the needy.

The U.S. Department of Agriculture (they're arguing in federal district court here) can't feed one family and not feed another just because Needy Family No. 2 lives in a Texas county that has no federal food distribution program. The Fourteenth Amendment won't stand for it. Everybody eats under equal protection of the laws.

It's a good starting argument. The Fourteenth Amendment lays duties and restraints on the states and their subdivisions—and on nobody else. A state can't take any action to abrogate a federal law, and neither can the counties—106 of which in this state have declined to set up federal food distribution programs.

BUT, AS THE Justice Department—now on the other side of the argument—points out, it depends on what kind of federal law you're talking about. Some laws bear in their bosoms permissive phraseology.

Such a law is the Commodity Distribution Program—which doesn't direct but only enables counties to take part in the food distribution program. The U.S. Department of Agriculture can propose, sure enough, but the county can dispose, and its word is final. The law provides for a federal government-county agreement. The law doesn't tell the county, do this: It says, do this if you've a mind to.

No civil-rights law ever takes that tack—which is pretty good evidence that the Commodity Distribution Program doesn't qualify as such and that the right to be fed doesn't as yet rank with the right to vote or the right to accommodations such as food or lodgings or the right to buy property even if the owner doesn't want to sell. But the right to be fed seems all the same on its way to becoming a substantive right—via the Fourteenth Amendment, which the poverty people have so widely chosen as a vehicle.

That amendment enshrines—if that's the word—the civil guarantees that the Reconstruction Congresses decided minorities in the conquered Southern states needed to have against state oppression.

"No state shall deny" is the key to the outlook of the framers who gave "due process of law" and "equal protection of the laws"—things that the states in question were then habitually denying—special mention.

CIVIL-RIGHTS LAWS of recent years have, in the minds of some, made good what the amendment only promised a century ago. If any civil right has been left unguarded, nobody spoke up for it—probably because people were busy thinking up new ones. And the latter habit led to a new view of the Fourteenth Amendment—the one that the poverty people are pushing today.

The Fourteenth became, in effect the inspirational fount for even newer guarantees—economic ones.

The change hasn't been all that recent. Martin Luther King, for one, helped blur the old distinctions. He saw as dismal a pattern of white oppression in hunger and joblessness as in what he had earlier denounced as civil wrongs. The country, he said, owed the minorities both bread and the ballot.

The War on Poverty grew out of the gradual identification of the two as one in political oratory.

Ruling Democrats, in short, realized that the political appeal of civil-rights laws was not only used up but dangerous to the public peace. Registering Negroes in Mississippi gave way to promissory bribes to ghetto rioters. The general evil of poverty took first rank in the new liberal demonology.

CONGRESS HAS YET to codify, the Supreme Court has yet to discover any such prescriptive right as that of being fed or of receiving free food.

But a free food program—a revision of the old share-the-cost Food Stamp program—has been put into effect. Hunger hunters, scouring the country, especially the South, for evidence of malnutrition, not unexpectedly found plenty of it. They got the ball rolling.

What's more, the U.S. Public Health Service then declared malnutrition to be a "reportable disease."

With so much going for this evolving right, it's little wonder that the poverty war lawyers have asked federal district court to order the U.S. Department of Agriculture to override all laws and political boundaries with its warrant to relieve hunger wherever it's found. It appears now that the USDA has already been doing just that—on the sly—in several of those 106 Texas counties.

The USDA has no such commission or warrant. The Commodity Distribution Program gives it no such warrant. But never mind—the Fourteenth Amendment, whose eye is on the sparrow, makes no heartless distinction between civil and economic rights. All hungry people are one in its sight.

This is as near to asserting a right to be fed as the poverty people can come at present—but they may have picked a bad law as the vehicle of the new doctrine.

The federal government is divided on the question—not just out of legal differences, either, but because the counties help pay for the food program, and if the USDA rides in and pays for a program in some of these counties out of its own pocket, the participating counties will expect to have their tabs picked up, too. The bill can run into hundreds of thousands of dollars in Texas alone.

THE JUSTICE Department dwells less on that, though, than on the fact that the CDP law is meant to uphold farm prices rather than relieve the hungry. The back door to the surplus food warehouses is opened for relief purposes only because the USDA can't otherwise get everything it amasses in the way of price-support purchases in through the front door.

(over) M— Mgt & Business Training

DIXIE, April 13, 1969

COE - - - School With Paychecks

Copied

By Ferdinand Bigard

"I hope to stay on the job after graduation," says Thomas Case, a student of Rabouin Vocational High. He's talking about the Cooperative Office Education program. Tom, the son of Mr. and Mrs. Austin Case, 1718 Prytania, works for John E. Koerner & Company, Inc. His expressed hope is the same as most COE students.

The Cooperative Office Education program is designed to give business-minded pupils like Tom experience in actual jobs, as well as business courses to supplement the job experience. New Orleans businessmen find they benefit from hiring COE students. The teens easily fill the many office jobs which require little or no previous job experience. The young men and women in the COE program are selected through careful screening by counselors, principals and COE coordinators to make sure they possess good attitudes—as well as marketable skills in stenography, bookkeeping and other clerical work.

Heading up this unusual educational program in the Orleans Parish school system is Miss Mary J. Madden, supervisor of business education. She supervises several educators who promote the hiring of COE students and oversee their training in: typewriting, shorthand, bookkeeping, operation of office machines, telephone techniques, filing and business dress and behavior. On-the-job training for COE students begins in mid-September and ends in May, a period of 8½ months.

"The program is beneficial to anyone going into business," says Cynthia Wilson of Carver Senior High School. Cynthia, the daughter of Mr. and Mrs. Ernest Wilson, 3407 Benefit, works the usual COE schedule (1 p. m.-5 p. m.) Monday through Friday, at the Humble Gas Transmission Company where she's a clerk typist. Her clerical duties also include operating such office equipment as the microflim camera.

"I enjoy meeting people, and that's what this COE job provides," says Carol Lebioda, a relief receptionist at the Bank of New Orleans. Carol, the daughter of Mr. and Mrs. E. A. Lebioda, 4850 Michoud blvd., admits the extra money's nice, too. "I've only done volunteer work," she says. The attractive, long-haired brownette is a student at Kennedy Senior High.

Basically, the COE program is for seniors who have already shown aptitude for a career in business. On completion of their work experience and correlated school study, COE students earn two units of credit toward the high school diploma.

Henry Richardson, a COE student of Fortier High School, has been offered an opportunity to continue working after graduation and, in his words, "stay on the job and go to college at night." Henry, the son of Mr. and Mrs. Raymond L. Richardson Sr., 1139 Ninth, plans to do this through a program at Gulf & South American Steamship Company, Inc., where he does payroll auditing. He hopes to become an accountant. Henry's been working with paymaster Joe Leto and says, "I'm being trained to take his place during his summer vacation."

Another COE student who plans to stay on with her company, "if they'll have me," as she puts it, is Deborah Stewart of L. B. Landry Senior High School. Like some of her COE co-workers, Deborah found out about the COE program from her typing teacher. Deborah's clerical duties have been expanded to learning operation of several of the sophisticated machines at the office of her employer, Peoples Life Insurance Company. One minute she might be pulling and updating files; another minute, she'll be running an accounting machine. Deborah's the daughter of Mr. and Mrs. Oliver Stewart, 1307 Pacific.

MISS Mary J. Madden explained how "COE students from 10 New Orleans public high schools receive on-the-job experience in both large and small business firms. In COE, every range of the city's activity is represented: attorneys, accountants, banks, insurance agencies, shipping companies, public utilities, hotels, hospitals, oil and gas companies, even city and federal agencies. COE students are paid a minimum wage for 15-20 hours per week work experience.

"Close to 40 percent of the 87 firms presently training COE students have been doing so for five years or more. Some firms, such as Auto-Lec Stores Inc. and the Chamber of Commerce, are rounding out a decade of COE participation; while others, such as Maison Blanche, Lykes Brothers Steamship Company Inc., the Bank of Orleans, Pan-American Life Insurance Company and the Tulane University School of Medicine are well into their second decade of COE participation."

Some statistics from COE's 1967-68 school session include: 143 student employes earning $129,587.85, an average salary of $906. This year, 167 COE students are getting on-the-job experience, as the program continues to grow and expand.

Business firms are not obligated to keep COE students after the initial training period has been completed, but after graduation, many students remain in the employ of the company which trained them.

"Peoples Life Insurance Company has trained two students a year during its five-year association with the COE program," says Blaine Dejoie, personnel director of the company. "We hired six of the ten trainees; four of these are still with the company. We would have hired other COEs if they hadn't decided to continue their education."

Of a new trainee, Dejoie says, "We try to get him on a skilled level where, if we can't hire him he will still be qualified to get a job elsewhere. If in eight or nine months we can't train him, then something's wrong."

LIKE most employers who use COE students, Dejoie feels a responsibility for the program. He says, "The idea is to treat these students just like regular employes. Any company that takes these students on for cheap labor and doesn't give the training and explanations hurts itself and the students too."

He also maintains that teens are capable of adapting to such business environment. "Our company might just be lucky, but I doubt it. The students we've had seemed to come with a built-in sense of office decorum. If I were advising other companies, I'd say those who hadn't come into the COE program were definitely missing the boat."

Dejoie's only regret is that his company's not large enough to hire more COE students.

"I talk COE up to every business associate I have," says Sidney De Leon Jr., supervisor of employe salary and benefits administration at Lykes Brothers Steamship Company Inc.

He adds, "I think New Orleans' businesses are really fortunate to have a fine program like this available. I can honestly say that since 1956, there has been only one COE student we could not hire after the training period because she just didn't make the grade."

Lykes has employed three COE students each year for the past 15 years. "Of that number," says De Leon, "I'd say over 90 percent have stayed with us. We're proud of the fact that several of our former COE students are now executive secretaries to some of our vice-presidents."

De Leon interviews his company's COE students and places them primarily in the auditing and treasury departments, marine or insurance and claims divisions. He says, "I try to move the COE trainees around a bit—to give them experience in several departments."

A recent change in the COE program which De Leon views as a definite aid to the employer is "the August workshop. Students meet several weeks before school begins to review skills and get indoctrinated in COE principles, so that they're ready for job placement by mid-September."

Hunger

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

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PHONE: NATIONAL 8-3870

April 15, 1969

Mr. Emory Via, Director
Labor Program
Southern Regional Council, Inc.
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

Dear Emory:

I am enclosing two copies of some new materials on hunger, including the Wall Street Journal article which I spoke to you about.

You can bill the Mississippi State AFL-CIO for two showings of the film "Hunger In America" at $7.50 each. These should be paid by the two local unions that booked the film from us and would have paid the rental to us if we had shipped the film.

Sincerely yours,

George

George T. Guernsey, Asst. Director
Department of Education

Enclosure

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opeiu 2 afl-cio

Attack on Hunger

Administration Moves To Fight Malnutrition In Cities, Rural South

Food Stamp Plan Expansion Mulled; Pregnant Women, Children Get Special Aid

Enriched Soft Drink Studied

By BURT SCHORR
Staff Reporter of THE WALL STREET JOURNAL

NEWARK, N.J.—The Government's mounting concern about malnutrition is making itself felt in Northern slums as well as in the dirt-poor rural Southern communities that have been in the spotlight lately.

Even the traditionally farm-oriented Agriculture Department is active in the cities—as Mrs. Nanette Adams of this riot-scarred metropolis can attest.

Mrs. Adams is a welfare recipient, a mother of nine and a black activist who wears her hair Afro style. She's also a leader of Newark's "nutrition squad"—14 Negro and Puerto Rican women hired by the New Jersey Cooperative Extension Service under a new Agriculture Department "Outreach" program. Their mission is to boost participation in Federal food relief programs and teach the poor to prepare more nutritious meals.

Until now, state extension services have concentrated on serving middle-class, mostly white farm families. But the prime target area for Mrs. Adams and her co-workers is Newark's shabby Central and East Wards. In only a few weeks, they have persuaded scores of Negro and Puerto Rican families to enroll in the city's underutilized program for distributing free Federal commodities. One of those aided is a Spanish-speaking mother who had been pacifying her 10 children's hunger pangs with sugared water.

Bad Budgeting

By July 1, some 5,000 such nutrition aides in nearly 600 urban and rural areas nationwide are expected to be counseling 200,000 poor families through repeated home calls. Mrs. Adams, for one, has no illusions about the difficulty of the assignment. Many poor Newark parents fail to budget their limited incomes to provide children with milk, orange juice and other special food needs, she says.

Of special aid to ill-nourished city folk, too, may be an effort sponsored by the Office of Economic Opportunity to develop cheap but highly nutritious food products for the poor. P. Ballantine & Sons Inc., a Newark brewing company, hopes to begin test sales in June of a regular-priced soft drink laced with protein and vitamins. The Pillsbury Co. of Minneapolis is considering marketing a high-nutrition sandwich spread, candy bar or food stick.

Under a little-noticed program aiding city and country folk alike, the Agriculture Department is beginning to make available special rations of milk, meat and other nutritious foods to low-income expectant mothers and children six years old and under. At hundreds of clinics and health centers around the country, physicians and nurses soon will be able to prescribe the rations without regard to any Government food assistance that patients already may be getting. Spending on this program will reach nearly $6 million this year and more than five times that much in fiscal 1970, officials calculate.

Food Stamp Expansion

All these efforts could be eclipsed by more important moves now under consideration by the Nixon Administration. One is an expansion of the food stamp program, under which the poor buy stamps at less than their face value and cash them in for food at grocery stores.

Agriculture Department planners want stamp outlays boosted to around $500 million in the fiscal year beginning July 1. The Johnson Administration's budget for fiscal 1970 calls for spending $340 million, up from $280 million this year. Any upward revision would have to clear the Budget Bureau and the Urban Affairs Council. But there are strong hints that the Nixon Administration wants to broaden use of stamps dramatically and will ask Congress for the additional funds.

Even more significant may be a proposal for higher welfare payments to the extra-needy. Health, Education and Welfare officials are considering ways to boost cash relief in Southern states. A Federal contribution of $30 monthly in Mississippi would quadruple the state's average payment per person, making it easier for families on welfare to scrape up food stamp money and increase their food buying.

Resistance Likely

These costly and controversial plans may not materialize in full any time soon. They'll meet resistance, on budget and other grounds, both in the Administration and in Congress. Some Southerners insist the need for more aid to the undernourished has been exaggerated.

Senate liberals first turned national attention on how the poor eat with hearings that started in Mississippi nearly two years ago and are still continuing. Testimony from scores of witnesses before a special committee headed by South Dakota Sen. George McGovern has indicated that millions of poor families are ill fed.

The most compelling corroborative evidence came a few weeks ago with disclosure of preliminary findings from a nationwide Government nutrition survey. The initial sampling covered 12,000 persons in Texas, Louisiana, Kentucky and New York, most of them poor Negroes and Latin Americans. The studies showed that 15% to 20% of those surveyed were so deficient in essential nutrients that their growth had been stunted or they had been left highly vulnerable to disease.

Though the special Senate committee isn't empowered to draft legislation, it seems clear that testimony it has taken has begun to build support for more action against malnutrition. One sign: The overwhelming Senate vote last month to reject a proposed $100,000 cut in the committee's 1969 budget, providing instead the full $250,000 requested. Also notable was the confession by Democratic Sen. Ernest Hollings of South Carolina that some people in his state were hungry. Pressed by Sens. Hollings and McGovern, the Agriculture Department broke with Johnson Administration precedents and began a test of free food stamps in Beaufort and Jasper counties, S.C.

The real test of Congressional sentiment probably won't occur until after President Nixon sends up his anticipated nutrition message. The proposals may be ready soon, however, perhaps in the next 10 days.

The President's specific recommendations can't yet be predicted. But Agriculture Secretary Clifford Hardin has declared that the Nixon Administration hopes to move with every possible resource . . . to remove malnutrition from our land," and department planners are taking this as their cue.

Cutting Food Stamp Costs

Their $500 million food stamp proposal might bring the total number of recipients to nearly five million persons by June 30, 1970, compared with the 3.6 million projected for June 30 this year. The expansion might come largely through lowering stamp costs for households whose monthly income totals over $70. (Recent liberalizations have benefited those below that level.)

Agriculture Department planners also want an expansion of the school lunch program. They figure it provides only three million of about seven million poverty-level students with free or reduced-price meals. Many of the remaining four million attend schools in older cities like Philadelphia or Detroit where the program doesn't operate in rundown core areas for lack of cafeteria facilities.

The supplemental feeding for mothers and small children has already been endorsed by the conservative Democratic chairmen of the agriculture appropriations subcommittees, Sen. Spessard Holland of Florida and Rep. Jamie Whitten of Mississippi. The program is due to serve some one million persons by mid-1970.

In Guilford County (Greensboro), N.C., a pilot project now in operation means public health nurses no longer need dig into their own purses to buy baby food for moneyless mothers being released from maternity wards. Instead, doctors write food prescriptions for redemption at the county commodity distribution center. (One month's ration for newborn infants: 30 cans of evaporated milk, 48 ounces of corn syrup, 28 ounces of farina and 46 ounces of canned fruit juice.)

Explaining Directions

Two nutrition aides trained by the North Carolina Extension Service make follow-up visits to the homes where food has been prescribed. "Many of our mothers can't read enough to learn from package directions how to mix dry milk or make a tasty meal from powdered scrambled eggs; that's where the aides come in," says Dr. Sarah T. Morrow, Guilford County health director.

Here in Newark, the nutrition aides play a similar role. Knocking on doors in a ramshackle apartment building is how one member of the city's nutrition squad, Mrs. Gladice Pagan, discovered the 10 children (ages eight months to 13 years) whose mother was feeding them sugared water.

The family ran out of food money after the father became too ill to work at his $98-a-week candy-factory job. Mrs. Eloise McClindon, the extension service nutritionist in charge here, contributed $4 of her own to make an immediate purchase of milk for the children. Then one aide helped the mother obtain her initial ration of free Federal commodities (shelling out $2 to have the foodstuffs delivered to the woman's home) while a second looked after her children. The aides have continued to visit the family every few days.

THE WALL STREET JOURNAL,
Tuesday, March 18, 1969

McGovern Asks Major Expansion of Food-Stamp Program for the Needy

By MARJORIE HUNTER
Special to The New York Times

WASHINGTON, March 22—Senator George S. McGovern, Democrat of South Dakota, called today for an immediate $1.5-billion expansion of the food stamp program for the needy.

This would be nearly a fourfold increase above the $340-million that the ougoing Johnson Administration had proposed for food stamps in the fiscal year starting July 1.

Senator McGovern is chairman of a special Senate committee on nutrition and human needs. The committee spent two days interviewing the poor in two Florida counties earlier this month and will make similar trips elsewhere in the country in the months ahead.

In a speech prepared for delivery to the Senate Monday but made available today, Senator McGovern observed that President Nexon was now reported to be considering a $1-billion increase in Government food programs over the next four years, with a possible first-year expenditure of $100-million.

Terming this inadequate, Senator McGovern said $100-million would buy a year's supply of food for just 610,000 of "our 10 million chronically hungry citizens.

"That is precisely the sort of half-hearted tinkering with the needs of our poor that we have seen time and again in recent years—underfinanced poverty programs, underfinanced food programs, all with the decimal point in the wrong place.

"I agree with the observation of one Administration official who said: 'This is what you call our thin system for nutrition."

Senator McGovern is a principal Congressional critic of the soo-called "thin" antiballistic missile system that President Nixon called for last week.

"Our president wants to lavish $7-billion to protect two missile systems with dubious military hardware," Senator McGovern said. "We can purchase with half that an end to hunger in America."

The Senator said he would propose that Congress amend the current Food Stamp Act so that "the poorest of the poor" would be given free food stamps.

The present law bars general distribution of free food stamps.

Under the present law, recipients of food stamps—redeemable for purchase of food at stores—must pay a minimum of 50 cents a month per person. Many have to pay far more.

For instance, one family in South Carolina pays $56 a month for stamps redeemable for $80 worth of food. The price and redemption value varies widely, according to family size and income.

While the law prevents distribution of free stamps, the Department of Agriculture just a few weeks ago set up a pilot program of free stamps for the neediest in two coastal South Carolina counties. This is being financed under another program that permits the spending of $50-million this year on various feeding programs.

Hunger

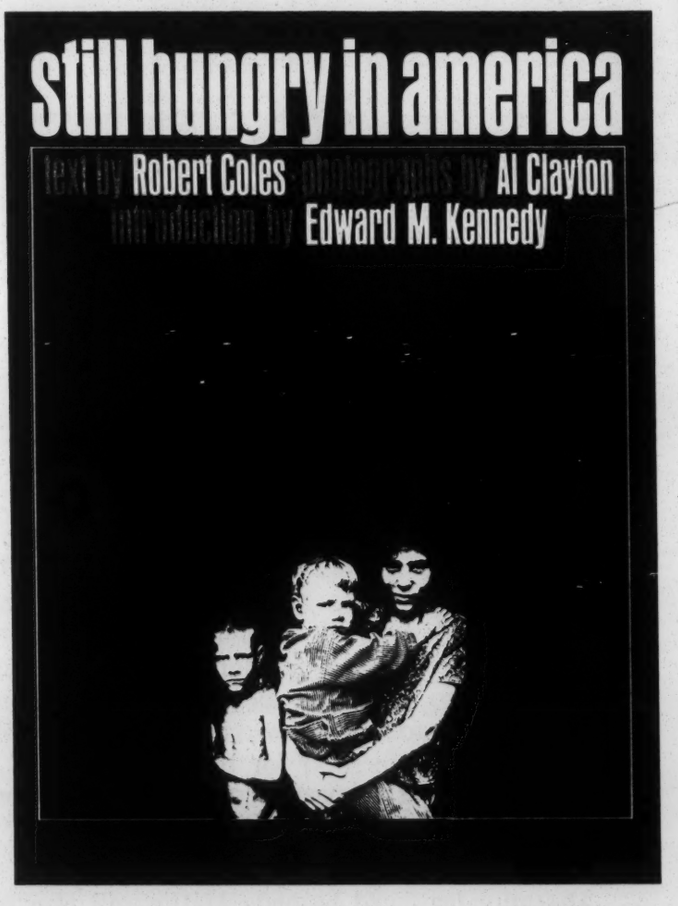
WASHINGTON REPORT

printed every Friday in Washington, D. C., by UAW Community Action Programs Department

Vol. 9, No. 20 May 19, 1969

United Automobile, Aerospace, and Agricultural Implement Workers of America, UAW

THIS NEW BOOK shows graphically why America must move rapidly to remove the blight of hunger



Hunger in our land haunts every American

By BARBARA COLEMAN

Pressure for increased aid to hungry Americans is developing as Congress and the Nixon Administration begin reacting to a Senate committee investigation of hunger.

In Congress, major changes in the nation's food programs are being proposed. Critics of the programs say they fail to reach most of the poor.

(Continued on page 2)

"There are still children in this country who wake up hungry, who spend their days hungry, and who go to bed hungry. There are still children in this country who are born in broken-down cabins rather than in hospitals, and who grow up without ever seeing a physician or a dentist. Put differently, there are still children who feel pain and get no relief for it; who fall sick and get no medicine; who suffer accidents or injuries and learn to clench their fists and grit their teeth or cry long and hard—all to no avail. And there are still children, thousands of them, who simply do not know what orange juice is, who cannot take a piece of meat for granted, who look upon milk as a very special treat. In other words, for thousands of American citizens, both black and white, young and old, survival itself can never be taken for granted."—*SENATOR EDWARD M. KENNEDY, in the introduction to "Still Hungry In America."*

5-31-1969

Hunger

More Funds Urged To Conquer Hunger

The AFL-CIO asked Congress to provide more funds for the food stamp program than the Nixon Administration is asking in order to wipe out hunger and malnutrition in America.

The Administration has proposed a $270 million increase in the food stamp budget for the coming fiscal year—to a total of $610 million.

That's "a step in the right direction" but not a big enough step. Julius F. Rothman, associate director of the AFL-CIO Dept. of Urban Affairs, said.

"When measured against the need, this sum is completely inadequate," Rothman told the Senate Agriculture Committee.

He said feeding the nation's hungry through the food stamp program "will require at least $1 billion" during the coming year "and a proportionate increase the following year."

Besides more money, there is a need for "substantial" reforms in the Administration of the program, Rothman testified.

Food stamps are sold at discounts based on family income and size to poor people in most, but not all, sections of the country. The intent is to enable families to buy the variety of food they need for an adequate diet at a cost they can afford.

Rothman advanced these AFL-CIO proposals to improve the food stamp program:

(Continued on Page 11)

AFL-CIO

NEWS, WASHINGTON, D. C., MAY 31, 1969

HUNGER IN AMERICA can be ended by an improved food stamp program, Julius F. Rothman, right, associate director of the AFL-CIO Dept. of Urban Affairs, testified at Senate Agricultural Committee hearings. Listening are Sen. Spessard L. Holland (D-Fla.), foreground, and Committee Chairman Allen J. Ellender (D-La.).

More Funds Urged To Conquer Hunger

(Continued from Page 1)

- Less restrictive eligibility requirements, with federal standards, "so that a broader spectrum of the poor will be eligible" for the food stamps.
- Free food stamps for the lowest income groups, including households with monthly incomes of $60 or less.
- Authority for the federal government to administer food stamp programs if local agencies are unwilling to cooperate or to finance the administrative costs if local funds are not available.
- Simpler procedures with less red tape in certifying eligible families and issuing the food stamps.
- Permission for families to pay for food stamps on an installment plan or just pay part of the monthly allotment "to facilitate purchasing by families whose paydays do not coincide with stamp issuance periods."

Rothman acknowledged the importance of providing education in nutrition to poor families so that the goal of a healthful diet can be achieved.

But he suggested that this might best be done by hiring and training persons from the poverty group who would be better able to work with food stamp recipients than professional home economists who "have been notably unsuccessful in reaching the poor."

A major expansion and reform of the food stamp program was urged also in testimony by the Meat Cutters.

The union's legislative representative, Arnold Mayer, said the campaign to end hunger and malnutrition "should have top priority." Hunger in the world's richest nation "is incredible and shameful," he stressed.

A group of prominent southerners urged that food stamps be given free to those who cannot afford to buy them. Brooks Hays, former congressman who heads the Southern Committee on Political Ethics, said the food stamp program should be administered by a committee of citizens in any county where elected public officials will not permit the program to operate.

Hunger

Vol. 1, #18 June 15, 1969

A SHORT COURSE FOR CHURCHMEN CONSIDERING PUBLIC RESPONSE TO THE PROBLEM OF HUNGER IN THE UNITED STATES

Ten Million Hungry Americans

by JIM LAWRENCE

The extent of hunger and malnutrition in the United States has now been well publicized. Many Americans have been made aware for the first time that there are some 10-12 million people in this country who are constantly hungry and malnourished. The recent hearings of the Senate Select Committee on Nutrition and Human Needs have made hunger a front page issue. Politicians have even found it expedient to express their indignation about "this deplorable situation," and the new administration has (tacitly, at least) declared its own "war on hunger."

Some government officials have cautiously noted that hunger is a problem that might actually be *solved!* One cynic noted that the Nixon administration might willingly adopt the elimination of hunger and malnutrition as its humanitarian project, because it is *possible!*

President Johnson's controversial "war on poverty" was less than satisfactory for many reasons–one of which is the sheer complexity of the task at hand. To eliminate poverty in this country will take a long term commitment–a commitment that transcends party loyalty and political pragmatism. Unfortunately, the way is paved with pit-falls and countless difficulties, as the OEO workers and VISTA volunteers know only too well.

On the other hand, it is actually possible to deal with the problem of hunger–at least on one level. We have the capacity and the ability to feed every hungry person in this country. Though the problems of hunger and malnutrition may not be completely eliminated until all aspects of poverty are taken care of, there are far-reaching and significant steps that can be taken now to insure that not one of our citizens goes without the proper food and nourishment.

What follows is a short course on the problem of hunger in the United States. The information contained therein is meant to provide a working knowledge of the subject for concerned churchmen who are seriously asking themselves: what can we do? This is no step-by-step solution to the problems of hunger and malnutrition; it is merely a brief resource summary for those who want to know why there are so many hungry people in our affluent society.

Background

On April 16, 1968, The Committee on School Lunch Participation issued a report entitled *Their Daily Bread.* This discussion of the National School Lunch Program pointed out some of the failures of the school lunch program, indicating that fewer than two million of the six million school-age children from families at the bottom of the poverty scale were able to get a free or reduced-price lunch at school. Inadequate funding, lack of uniform requirements, and cases of local discrimination were discovered by the committee–in spite of the declared intention that "no hungry child shall go without lunch."

On April 22, 1968, the Citizens Board of Inquiry into Hunger and Malnutrition in the United States published *Hunger: USA,* a disturbing report on the extent of hunger in America. This twenty-five-member board spent nine months looking into the cases of hunger and malnutrition found in various parts of the country–especially in Mississippi. The board was formed in summer, 1967, and was supported by Walter Reuther and the United Auto Workers. This was in response to the findings of a Senate Subcommittee that toured Mississippi in the spring of that year and found many cases of severe malnutrition.

PAGINATION INCORRECT

The extent of hunger and malnutrition in this country was brought home to Americans on May 21, 1968, when CBS-TV broadcast a documentary on *Hunger in America.* This program reviewed hunger problems in general, and criticized existing food programs operated by the federal government. Then Secretary of Agriculture, Orville Freeman, reacted indignantly to the network's criticism, implying that "it's not as bad as all that."

Unfortunately, too many Americans had the same reaction. It simply can't be that bad–not in our country! Even when the Poor People's Campaign released a list of demands on government agencies and Congress, too few people actually believed the extent of their grievances.

On July 30, 1968, the Senate established a Select Committee on Nutrition and Human Needs, headed by George McGovern (D-SD), to investigate the problems of hunger and malnutrition in America. This marked the first official intent on the part of the Congress to actually learn the *facts* about hunger in this country.

Since that time the Select Committee has held hearings in December 1968 and January, February, and March 1969. Of these, the dramatic hearings on hunger in South Carolina, which revealed the extent of intestinal parasite infection in Beaufort and Jasper Counties, and the field hearings in Immokalee, Florida, which indicated the lack of concern on the part of local officials in dealing with the plight of the migrant workers, were probably the most shocking to the public.

At present there is underway a National Nutrition Survey in several states, including Kentucky, Louisiana, and New York, to discover the statistical details of hunger in America. The first state to complete its survey was Texas. An 88 member team of clinicians, dentists, nutritionists, biochemists, biostatisticians, and supporting skilled technicians, under the guidance of Dr. William McGanity of the University of Texas Medical School, discovered an alarming amount of anemia, goiter, vitamin deficiency, and other results of prolonged malnutrition in the sample they studied. (See *engage,* March 15, 1969, "Hunger in America").

Government Food Programs

The *Agriculture Act of 1946* provided for the distribution of *surplus food commodities* "among persons in low income groups as determined by the Secretary of Agriculture." This provision, known as *Section 32* funds (US Code 612c, Title 7), is the basis for the government commodity distribution program. *Section 416* (the Agriculture Marketing Act) and *Section 6* (a government purchasing supply program) also provide foods for commodity distribution.

Though the cost of food stamps is considerably less than the actual cost of the food, many of the poorest families cannot even afford the token payment.

The US Department of Agriculture gives the surplus food to state welfare agencies to distribute–state and local communities choose whether or not to take part in the program. The state sets the standards for deciding who may get the food; the local community administers these standards. Technically, there are twenty-two different commodities distributed under this program–however, the USDA points out that "local foul-ups" sometimes prevent the recipients from receiving all twenty-two.

The *Food Stamp Program* was initiated as a pilot project in 1961. In 1963 President Kennedy asked for legislation making it permanent. The purpose of the program is to help poor families buy more and better food of their own choosing. People on public assistance, and others whose income is low enough to qualify them for public assistance are eligible to purchase food stamps. Though the cost of the stamps is considerably less than the actual cost of the food, many of the poorest families cannot afford even the token cost of the stamps.

The recent hearings of the Select Committee also discovered that there is often a discriminatory or condescending attitude on the part of the local officials who administer the Food Stamp program. Also, transportation is a trememdous problem to many who would participate in the program but simply find it impossible to go to the stamp redemption centers.

The *National School Lunch Act* was originally passed in 1946 with the intention of providing low-cost, nutritional food for school children. It is administered by the Department of Agriculture through the Consumer and Marketing Service, School Lunch Division. In each state it is administered by the state educational agency. In order to receive any assistance from the federal government, a school must agree to provide food free to all children who cannot afford to buy their meals. However, as several studies have already shown, there are far too many poor children who are still unable to obtain free or reduced-price lunches.

The *Child Nutrition Act of 1966* provided for

Hunger

White House Talks on Food and Health in Trouble

Only a Quarter of $1-Million Expected Cost Raised

By JAMES M. NAUGHTON
Special to The New York Times

WASHINGTON, Sept. 13 — The Nixon Administration may have averted a boycott by the poor and consumer groups of its conference on food, nutrition and health by deciding to continue the food stamp program for welfare families.

But the highlevel conference — the first major conference held by the White House, appears beset with serious problems.

Some 2,500 experts and laymen are to take part in the program Dec. 2 to 4. But with barely two and a half months to go, it has been assured of only a fourth of the $1-million sought to produce it. Two Democrats have been dismissed from one of its 30 panels amid reports of political screening of participants.

And the make-up of the panels is the subject of intense lobbying, with the food industry and the poor tugging from opposite sides to seek dominant roles.

Sources close to Dr. Jean Mayer, the nutritionist serving as a special consultant to President Nixon to set up the conference, say he was fearful it would have turned into a disaster had not the Administration shifted gears on food stamp policy.

Plan Expected Soon

Mr. Nixon's welfare reform proposal, which he is expected to submit in detail to Congress this week, is now said to include assurance of $1,200 worth of food stamps in addition to a basic allowance of $1,600 a year for a family of four.

Initially the Administration had said that welfare families would no longer need food stamps because they would receive the $1,600 benefit and state aid. But an outcry from liberals — and some scurrying by Dr. Mayer — apparently caused the Administration to change its position.

Even so, the nutrition conference seems headed for trouble and the pressures on Dr. Mayer are increasing. At issue is whether the tone of the conference's recommendations for reform of the Nation's food policies will be set by the food industry, by academicians or by consumers.

The problem of funding the conference is a key one because some of the funds would be used to pay transportation costs and provide research assistance and other help for poor persons among the participants.

A variety of sources within and outside the Administration say that Dr. Mayer believed he had assurance of funding from the Office of Economic Opportunity but has not gotten the money. Donald Rumsfeld, new director of the agency, reportedly urged Dr. Mayer to limit Negro participants in the conference to "doctors, nurses, and lawyers" and, when Dr. Mayer refused, did not provide the financial assistance.

A Second Rejection

The sources said that Dr. Mayer had then sought funds from the Department of Agriculture, which is responsible for most of the food programs involved in conference consideration. But the department reportedly said it could provide money only if the conference was under its control, a condition Dr. Mayer could not accept.

A commitment of $250,000 was then made by the Department of Health, Education, and Welfare. The National Council on Hunger and Malnutrition, a private group Dr. Mayer founded and headed before taking on the White House assignment, maintains that that amount is not enough to assure meaningful participation by the poor.

Further, the hunger council has charged that Dr. Mayer's

The New York Times

Dr. Jean Mayer, who is setting up December session.

slim budget will not provide staff help for any of the panels or permit him to commission outside studies by experts. Both those factors contribute, the council believes. To the likelihood that food industry representatives and academicians—some of whom serve as consultants to the industry—will dominate the conference.

Representation of Poor

Robert Choate, an aide to Dr. Mayer, said the conference planners were "doing our damndest" to assure that consumer groups and the poor would be represented. He said each technical panel would have at least one layman on it and that the recommendations of the panels would be screened in November by social action panels, which will have even wider participation by laymen.

But Mr. Choate conceded, "I don't think we're out of the woods with $250,000" as an over-all budget. Such a sum could limit the amount of assistance available to keep an eye out for the intreests of the poor, he said.

The key panel will be that on delivery systems of food and of money for food. This panel will consider Government programs including food stamps, commodity distribution, school lunch programs and monitoring of such efforts to assure they are more effective in achieving a balanced diet among the impoverished.

White House screening of participants appears, at least in the case of this panel, to have gone beyond considerations of security. Two Democrats invited to take part by the panel's chairman, Dr. Stanley Gershoff, associate professor of nutrition at Harvard University, attended two meetings and were then informed they could no longer participate.

One, Rodney E. Leonard, who was director of consumer and marketing services for the Agriculture Department in the Johnson Administration, had been selected as panel vice chairman. But shortly after Mr. Leonard stopped at the department to discuss its programs with Richard E. Lyng, assistant secretary for consumer and marketing services, he was cut from the panel.

At the same time, William C. Smith, staff director of the Senate Select Committee on Nutrition and Human Needs, was dropped. The select committee, headed by Senator George McGovern, Democrat of South Dakota, has been holding hearings on hunger that have produced criticism of the Agriculture Department.

Dr. Gershoff's panel has not held a third meeting and there are reports he has been ordered by the White House not to schedule another session until the panel's make-up is changed.

Among its members now are Jean Fairfax, legal information and community service director of the N.A.A.C.P. Legal Defense and Educational Fund, Inc.; Marian Wright Edelman, whose

Politics and Lobbying Playing Role in December Plans

work with the Southern Christian Leadership Conference helped make hunger a national issue, and Negro antipoverty workers from Washington.

Friends of Dr. Mayer said that he, Dr. Gershoff and Miss Fairfax became concerned that the Agriculture Department would attempt to install its own representatives on the panel, so they maneuvered to block Agriculture by winning approval of a resolution banning all Government officials from membership on the conference panels. The resolution was adopted at a meeting of conference chairmen and vice chairmen.

Food industry representatives are said to be pressuring Dr. Mayer to grant them a larger voice in the conference, even though announced committee chairmen or vice chairmen include 18 industry representatives as against three consumer group leaders. One lobbyist for a Western meat producers group reportedly warned Dr. Mayer that "we have 25 Senators in our pockets."

The Administration is preparing to complete this week the naming of members of the panels, which will leave only nine weeks for submission of their reports to the full conference.

There is open skepticism among consumer groups that the conference will amount to much. As one Washington consumer representative stated it, "I can't believe there will be a heart-rending concern demonstrated for the nutrition needs of the poor."

And, as the National Council on Hunger and Malnutrition, Dr. Mayer's group of former associates, said in its August "action report," it appears likely "the poor may be seen and even heard, but not too loudly or with any power to control the direction of the conference that would not have taken place but for them."

Tow Truck Found "Unsafe"

BRANTFORD, Ontario (Canadian Press)—An automobile was checked by the police here, declared unsafe, and ordered off the road. A tow truck, called to remove the car, was also declared unsafe. A second tow truck was called to haul away both vehicles.

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Wall St Jnl.

VOL. CLXXIV NO. 65

Meatless 'Meats'

Several Firms Develop Soybean-Based Copies Of Beef, Pork, Chicken

Some Now on Market Mixed With Real Thing; Low Cost, High-Protein Food Is Aim

Questions About Taste, Labels

By JOHN A. PRESTBO
Staff Reporter of THE WALL STREET JOURNAL

DECATUR, Ill.—Lunch was a feast.

First came an array of hors d'oeuvres, including little ham-and-cheese cubes with colored toothpicks stuck in them. The main courses were sweet-and-sour pork on rice, quiche Lorraine (a French-style ham pie with egg custard filling) and a loaf of corned beef hash. Lime sherbet and candy were the dessert.

It was delicious — though there wasn't a morsel of pork or beef in anything that was served, and even the almonds in the candy weren't real nuts.

The "meat" and "nuts" actually were processed soybeans, flavored and textured to taste and chew like the real thing. They were made by the luncheon host, Archer-Daniels-Midland Co., one of a half-dozen companies that are extruding or spinning soybean protein into close imitations of chicken, turkey, beef, port and scallops and other seafood.

Soybean "meats"—called analogs because they're supposed to be analagous to real meat —have long been touted as "the food of the future." Considerable research and development is still needed to perfect them and to move them into mass production, but they're already showing up in a variety of food products.

Fine Print

Americans are eating more of them, in fact, than they may realize. Soup mixes, canned stews and chili, frozen ravioli and prepared, frozen hamburger patties are among a growing number of grocery store staples that now contain relatively small amounts of flavored, textured soybean "meats" along with real meat. In many instances, the only mention of the analogs on the labels of these convenience foods is in the fine-print list of ingredients.

Analogs also are being tested in restaurants, factory cafeterias and institutions. Howard Johnson's test kitchens in New York are trying meatless meats in several recipes, though the chain doesn't plan to put them on its menus any time soon. "Some of them taste pretty good," says Pierre Franey, executive chef, "and with good sauces and gravies, they

Meatless 'Meats': Firms Develop Soybean Versions of Beef, Pork

Continued From First Page

direct route from harvest to consumer, bypassing the slow, costly step of first being fed to livestock, which, in turn, must be fattened, slaughtered and shipped great distances before reaching the supermarkets.

At present, soy "meats" extruded from a vat of concentrated vegetable protein, the type made by Archer-Daniels-Midland and Swift & Co., sell at wholesale for an average of 35 cents a pound on a dehydrated basis. Extruded soy "meats" can effectively imitate the texture of ground meat or of small pieces of red meat, poultry or fish.

Analogs made from tiny soybean fibers that are spun much like rayon or nylon are more expensive, ranging from 45 cents to 80 cents a pound. The small fibers can be arranged to closely simulate the fibrous texture of slices of chicken or beef.

Spun soy analogs could well become less costly as output moves out of the pilot plant stage into large-scale production. General Mills, one of the companies making spun soy (the other two are Worthington Foods Inc. and Ralston Purina Co.), is building its first analog plant in Cedar Rapids, Iowa. A year after it opens next spring, says Carson J. Morris, general manager of protein operations, "we'll have our arms around the technology in terms of mass production and price-per-pound should come down."

Working on Steaks

Looking further ahead, a food technologist says: "In 10 years, I'll have a plant that will turn out mile-long analog 'beefsteaks.' Machines will stamp them out, wrap them and freeze them." Analog researchers say they can't simulate a juicy steak yet, but they're working on it.

Even at today's prices, some meatless meats are still a bargain, since real meat shrinks when cooked and analogs don't. Sixteen ounces of real bacon, for example, are reduced to about four after frying.

Not so with Stripples, which Worthington Foods advertises as "the meatless 'bacon' that never said oink." A half-pound carton of Stripples ends up, baked or fried, at eight ounces. Stripples are being test-marketed in Ft. Wayne and South Bend, Ind., for 79 cents a half-pound package.

Worthington is wooing the growing weight-watching market by claiming that each Stripple contains 16 calories and about 11% fat, compared with 49 calories and about 70% fat in each slice of bacon. Worthington also is developing meatless breakfast sausages with similar characteristics which it plans to call Sizzles.

Other food makers are trying different approaches to using analogs. Nalley's Fine Foods division of W. R. Grace & Co. is test-marketing Meat Mate, a package containing dehydrated, textured soy particles. When mixed with a pound or more of ground meat and some water, the particles expand, extending the meat weight by up to 50%.

The Labeling Issue

Different types of Meat Mate contain various spices and other ingredients so that the extended meat can be served as hickory smoke-flavored hamburgers, Salisbury steak or meat loaf. Unlike extenders such as breadcrumbs or cereal, Meat Mate adds protein, flavor and texture to the real meat.

One question facing Government regulators is how meatless meats should be labeled. In 1966, the Food and Drug Administration filed suit against General Mills, charging that its Bac-Os (simulated "bacon" bits for use in salads and soups) should be prominently labeled as "imitation bacon." But studies are now under way by the agency and others to determine what policies on such products should be, and meanwhile the Government isn't pushing the suit.

The Agriculture Department, which shares some jurisdiction over food labeling with the FDA, is currently developing rules on the use of analogs in processed foods containing real meat. In general, the department is taking the position that if a product is "significantly different from the real thing," it should carry a completely different name.

That reasoning suits the livestock industry, which objects to thinly disguised meatless meat names such as Wham (for a soy-simulated ham), Bac-Os or Bac'n. "They're capitalizing on the reputation that meat has built up and apparently trying to fool some people who don't read labels too closely," contends Don Magdanz, executive secretary of the National Livestock Feeders Association. And no matter what the name, the trade group also objects to shaping and coloring analogs to look like cuts of real meat.

The meatless meat makers are miffed at what they consider the livestock industry's unfriendly attitude. "If they had their way, we'd have to color our stuff green," grumps one executive.

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Since last year, the New York State Department of Mental Hygiene has been adding General Mills Inc.'s meatless crumbled "beef" and diced "ham" and "chicken" to meals for its 90,275 patients in 49 institutions. The department plans to continue and perhaps expand its use of analogs, says Jack Bellick, director of nutrition services.

Waiting in the wings, either in test markets or in the laboratory, are an abundance of new products due to gain national distribution in the next two to three years. Among them are a variety of simulated lunch "meats" such as smoked "beef" or "ham" and a meatless "turkey" roast that comes with a plastic wish bone.

Worried Farmers

Analog sales are still small, but they're growing fast. Volume this year is estimated at $10 million, which is a fraction of 1% of total meat volume but up from about $3 million five years ago. One study conducted by a West Coast research firm forecasts sales of $1.5 billion to $2 billion for the products by 1980, which would equal 5% to 6% of the meat and poultry market now projected for that year.

Such predictions disturb livestock raisers, though some have ambivalent attitudes toward their new competition because they also grow soybeans. Analogs are causing problems in Washington, too, where Federal regulators are trying to devise standards by which to gauge nutritional and other qualities of meatless meats.

Some fake meats still leave much to be desired, especially in taste. "The flavor tasted like it was painted on," says a young Chicago housewife who warmed up some "fried chicken style" analogs for lunch recently. "Underneath was that soybean taste."

A Fort Wayne, Ind., matron says she served a meatless bacon one morning for breakfast, "and after a couple of bites my husband and I looked at each other and wrinkled our noses. Then I got up and threw the rest of the package out."

Startled Cattlemen

One of the first products to use analogs, Skippy Peanut Butter with Smoky Crisps (simulated "bacon" bits), was dropped last year after little more than a year in test markets. "There wasn't any question of quality, but it just didn't catch the fancy of the market," says a spokesman for CPC International Inc.

"Those damn phony bacon pieces kept sticking in my teeth," says a Chicago man who tried it.

Still, technology has advanced far enough so that many analogs closely resemble the meats they imitate. Last year a cattlemen's convention innocently devoured a banquet entree of "meat loaf," only to be jolted later by a speaker who told them they had eaten soybeans, not beef. "When you use them in a recipe with other ingredients, these soybean things are pretty good," says a housewife in Indianapolis, a test market for some of the new products.

Soybean "meats" can be made just as nutritious as their animal counterparts, makers say. The "corned beef hash" served by Archer-Daniels-Midland, for example, was approximately 15% protein, about the same as hash made from real beef. Researchers say they can build any desired level of vitamins, minerals and other nutrients into analogs.

Right now, most meat analogs retail for as much or more than the real meat they imitate. But eventually analogs' biggest attraction is expected to be low cost—roughly half that of trimmed, boned and cooked real meat.

The theory is that analogs should be much cheaper than real meat for much the same reason that margarine is cheaper than butter. In meatless meats, high-protein soybeans take a

Please Turn to Page 21, Column 3

ple contains 16 calories and about 11% fat, compared with 49 calories and about 70% fat in each slice of bacon. Worthington also is developing meatless breakfast sausages with similar characteristics which it plans to call Sizzles.

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Morgan

POVERTY DRAWER 1969

Newsclips

POVERTY - GENERAL (Incl. EOA & Headstart)
POVERTY - SOUTH " " "
POVERTY-- by Southern States " "

" Miss. Friends of Children

POVERTY - Appalachia
Job Corps
Legal Defense
Vista
Citizens Crusade Against Poverty

Materials

POVERTY - General
South
" EOA

Appalachia

Rural

washington research project
action council *Bulletin*

february 1970

Food for Hungry Americans?

White House Conference

President Nixon apparently hoped that the White House Conference on Food, Nutrition and Health, held December 2 through 4 in Washington, would be a quiet and controlled gathering of food industry people, some communtiy people, and experts in food assistance programs. But it was dominated by people who the President himself adknowledged knew more about the realities of hunger and malnutrition than any other group of Americans. They said it is time to stop making promises to the Nation's hungry people, and commit cash and energy to make the food plans work.

And although President Nixon opened the Conference with a general statement about how the moment was historic, and how important it was to establish national priorities, his rhetoric exceeded the realities of his Administration's activities. The Conference was closed with a call for action from the participants. Five serious demands were put forth:

- that the Administration declare a *NATIONAL HUNGER EMERGENCY*, by invoking Section 11 of the Disaster Relief Act of 1969 (and similar statutes) in order to get food to hungry people immediately, and to actively support immediate passage of the McGovern Bill and other appropriate hunger legislation;

- that a *GUARANTEED ANNUAL INCOME OF AT LEAST $5,500 FOR A FAMILY OF FOUR* be established;

- that the *EXISTING FOOD ASSISTANCE PROGRAMS BE REFORMED AND EXPANDED* to provide an adequate diet to those in need in all parts of the U.S., and that free food stamps be given to families with incomes less than $100 a month (for a family of four), and that the food stamp price schedule be revised so that no recipient would pay more than 20% of his income for food stamps. In addition, conferees called for national eligibility standards and self-certification procedures;

- that a program be established that would provide all school children with a *FREE AND NUTRITIOUS BREAKFAST AND LUNCH;*

- and that the food programs no longer be administered by the Department of Agriculture, but by HEW.

Dr. Jean Mayer, the President's special consultant on food and nutrition, responded that the President "is very interested in following up on the White House Conference, both in the short term and long term, by action."

The Administration's Response

On declaring a *NATIONAL HUNGER EMERGENCY*, the President has done nothing.

Hunger

Why Can't We Just Give Them Food?

By ROBERT SHERRILL

WASHINGTON.

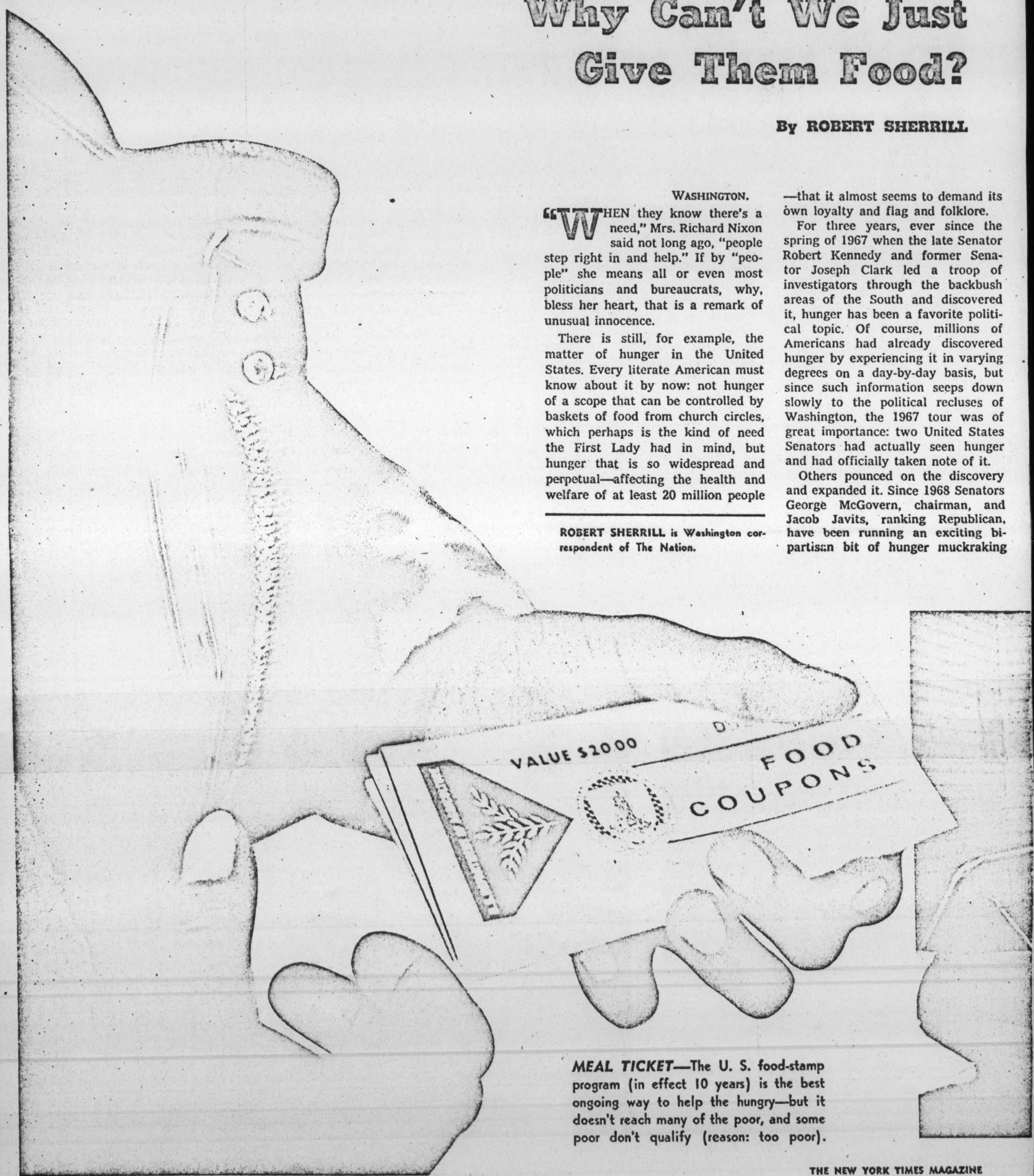
"WHEN they know there's a need," Mrs. Richard Nixon said not long ago, "people step right in and help." If by "people" she means all or even most politicians and bureaucrats, why, bless her heart, that is a remark of unusual innocence.

There is still, for example, the matter of hunger in the United States. Every literate American must know about it by now: not hunger of a scope that can be controlled by baskets of food from church circles, which perhaps is the kind of need the First Lady had in mind, but hunger that is so widespread and perpetual—affecting the health and welfare of at least 20 million people—that it almost seems to demand its own loyalty and flag and folklore.

For three years, ever since the spring of 1967 when the late Senator Robert Kennedy and former Senator Joseph Clark led a troop of investigators through the backbush areas of the South and discovered it, hunger has been a favorite political topic. Of course, millions of Americans had already discovered hunger by experiencing it in varying degrees on a day-by-day basis, but since such information seeps down slowly to the political recluses of Washington, the 1967 tour was of great importance: two United States Senators had actually seen hunger and had officially taken note of it.

Others pounced on the discovery and expanded it. Since 1968 Senators George McGovern, chairman, and Jacob Javits, ranking Republican, have been running an exciting bipartisan bit of hunger muckraking

ROBERT SHERRILL is Washington correspondent of The Nation.



MEAL TICKET—The U. S. food-stamp program (in effect 10 years) is the best ongoing way to help the hungry—but it doesn't reach many of the poor, and some poor don't qualify (reason: too poor).

Proposed fiscal 1970
Budget -

Sec. 32 funds
would be fully spent
- funding alternative
include $111 million
in Sec. 32 funds
remaining unobligated
in fiscal 1969 —
- also $300 million
reserve in sec. 32
(carryover)

suggested ?
Solutions

- See budget
proposal in light of
other expenditure - cuts.
i.e. price supports.

Hunger

5

WASHINGTON POST JAN 9

Doubled Spending On Hunger Urged

By Stuart Auerbach
Washington Post Staff Writer

Agriculture Secretary Orville L. Freeman estimated yesterday that it will take $1 billion more a year—on top of the $1.1 billion now being spent—to eradicate hunger in America.

The outgoing secretary, accused last summer of failing to do enough to provide food for the hungry, threw the gauntlet to Congress during testimony before a select Senate committee investigating hunger and malnutrition.

He told the committee there is a problem of hunger and malnutrition despite the fact that there is more than enough food to feed everybody, a system that with "minor modifications" can supply food to everyone, and a consensus that no one in America should go hungry.

"The question that remains is whether we will dedicate the resources—money and manpower—which this task requires," Freeman concluded after his 19-page statement.

"The Congress will give the final answer to that question. I leave it in your hands."

Freeman told the committee he was forced to cut back a planned extension of the food stamp program this year because Congress appropriated $280 million instead of the $315 million that was authorized.

And, he added, up to this year "Congress has provided only token funding" for the school lunch program.

After the hearing, Chariman George McGovern (D-S.D.) said he thought the additional $1 billion to fight hunger was a realistic figure. But he said he doubted that the conservatively oriented Appropriation and Agriculture Committees in Congress would spend that much.

Before Freeman testified, Sen. Jacob Javits (R-N.Y.), the ranking minority member, complained about the "repeated inability of the Executive Department to strip away the red tape" in fighting hunger.

"Now I hope that with a new team at the helm, we will see needed actions taken. I will be among the first to keep the new Administration's feet to the fire on this issue."

Freeman offered no apologies for his Department's performance n feedng America's poor. Nor did he believe that this program conflicted with farm price support policies.

He did, however, say that there is a "gap between the good intentions we express and our ability to carry them out."

As he testified, packages of dry milk, lard, flour, rice and cornmeal—the $2.20 worth of surplus foods that were passed out each month to some 3.7 million Americans when he took office eight years ago—sat on the table beside him.

On the other side of the table were packages containing the 22 commodities, worth $12.70, that are now offered.

Under questioning later, he acknowledged that only 20 per cent of the 1419 Government units in the Nation that are part of the program include all 22 commodities in their program. A program is not adequate, Freeman told reporters, unless it includes all 22 commodities.

He recommended that the commodity program be phased out in favor of food stamps, which increase the poor's purchasing power in their local markets.

He said the cost of the stamps should be reduced and the bonus level should be increased. "All it will take to do this are appropriations by the Congress," he said.

He said 4 million children now get free lunches at school, compared to 2.2 million last year. But, he added, there are still 2.5 million who should get free lunches but do not.

Freeman announced a program to allow schools in inner city ghettos or remote urban areas to hire catering services to provide hot lunches. This will allow the government to spend money on food "rather than stainless steel kitchens," he said.

In another effort to help the city poor, Freeman revealed that the Federal Extension Service—which usually serves farmers—will start an urban nutritional education program.

He said 4000 poor people will teach about 140,000 of their neighbors what foods to buy and how to cook them to get maximum benefits.

NEW YORK TIMES JAN 9

Teachers Adopting a

Teacher militancy in 1968 became a powerful force everywhere, but in the drama of urban conflict it found itself face-to-face with militant minority groups.

In the battle for the more traditional bread-and-butter goals, marked by strikes or threats of strikes, the climax had been building up for a long time. In an affluent society, teachers' spokesmen insist that the national average of $7,500 in salaries for male teachers is still too low to be fully competitive, even though pay scales in many communities now reach $14,000 or more.

But it is in the cities especially that the competition between teachers and other municipal workers has grown hot, and the success of civil service employes in gaining their objectives through strikes has encouraged teachers to try to reap the fruits of militancy.

Eighty per cent of the estimated man-days lost in teacher strikes and work stoppages in the United States since 1940 were lost in the single school year of 1967-68. In what the National Education Association calls "a veritable explosion," there were 114 strikes. By contrast, only five or fewer teachers' strikes were reported annually between 1960 and 1964.

Survey Made

A survey showed that the proportion of teachers who believed in the strike as a weapon rose from 53.3 per cent in 1965 to 68.2 per cent last year.

The very fact that the N.E.A. appears to cite the record of new militancy with pride is significant. Until three years ago, the giant organization—it has more than a million members—disapproved of strikes. Only the 165,000-member American Federation of Teachers considered the strike a legitimate weapon in the teacher's arsenal.

When David Selden was elected president of the A.F.T., he called for a merger of the two organizations to make teacher power total. The association, still insisting on its dislike of labor-affiliation, declined.

Although the two groups are competing nationally for the allegiance of the nonwhite community, in New York (and in other big cities) the federation—because it is involved in the labor movement—found itself at odds last year with Negroes and other minorities.

It was in New York that the union, through its flagship local, the United Federation of Teachers (membership 50,000), aroused the hostility of many Negro groups and spokesmen. The battle reached its climax in three citywide strikes—each closely following its predecessor—over the community-control experiment in the Ocean Hill-Brownsville section of Brooklyn.

The Brooklyn trouble arose largely because disaffected Negro parents blamed the urban school system for their children's failures. Although many teachers, and the union itself, had often in the past been critical of the "system," many Negro and Puerto Rican parents believed that, in the crunch, the union would side with the system to protect its own and its members' interests.

In September, 1967, when the teachers' power to suspend disruptive children became an issue in a teacher's strike, Negro parents charged that "disruptive" had become a code word for nonwhite. Albert Shanker, president of the union, denied this, saying his record on civil rights was spotless. But the black community opposed the strike.

The rift deepened when Mr. Shanker actively lobbied to defeat last year's decentralization proposals in the Legislature while many Negro spokesmen were calling for community control.

Even before militant teachers and militant Negroes faced each other across the picket lines in New York, the question of the teachers' stand on community control of the schools had been raised at the parent federation's annual convention.

A New Caucus, led by Edward Simpkins, the Negro vice president of the Detroit local, had urged the union to join the community in its drive for control—not, he said, to split the union or create a separatist force, but to help close a growing "gap between white and black trade unionists."

While the federation hedged on the issue—it plans to take it up again at a meeting in Washington later this year—the National Education Association, through its first Negro president, Mrs. Elizabeth D. Koontz, pronounced support of community control, as long as teachers were part of it and their rights were protected. (The N.E.A. thus had come a long way from the days, right up to the present decade, when chapters throughout the South were segregated.)

ADVISORY COMMITTEE FOR HUNGRY AMERICANS

If you care to make a contribution to help feed the hungry and poor of this nation, The Southern Regional Council, Inc., has agreed to accept and disburse all such contributions. The contributions will be used to purchase food for hungry Americans. An Advisory Committee for Hungry Americans has been established by The Southern Regional Council to advise it as to what organizations will receive contributions. Contributions (including checks made payable to The Southern Regional Council, Inc.) may be mailed to:

The Southern Regional Council, Inc.
5 Forsyth Street, N. W.
Atlanta, Georgia 30303

Attention:
Advisory Committee for Hungry Americans

Members of the Advisory Committee include:

PAUL ANTHONY, Executive Director, Southern Regional Council, Atlanta, Georgia.

WENDELL CHINO, President, National Congress of American Indians and the Tribal Council of Mescalero Apaches, Mescalero, New Mexico.

AL CLAYTON, Photographer, Nashville, Tennessee.

ROBERT COLES, Research Psychiatrist, Harvard University Health Services, Cambridge, Massachusetts.

MRS. LEWIS G. COWAN, Chairman, NCNW Workshops in Mississippi, New York, New York.

CONSTANCE CURRY, American Friends Service Committee, Atlanta, Georgia.

KENNETH L. DEAN, Executive Director, Mississippi Council on Human Relations, Jackson, Mississippi.

FRED DUTTON, Executive Director, The Robert F. Kennedy Memorial, Washington, D.C.

MRS. MARIAN WRIGHT EDELMAN, Washington Research Project, Washington, D.C.

DOROTHY I. HEIGHT, National President, National Council of Negro Women, Inc., New York, New York.

VIVIAN HENDERSON, President, Clark College, Atlanta, Georgia.

HARRY HUGE, Washington Research Project, Washington, D.C.

JOHN LEWIS, Director of Community Organization Projects, Southern Regional Council, Atlanta, Georgia.

PAUL MATHIAS, Executive Director, South Carolina Council on Human Relations, Columbia, South Carolina.

CHARLES PREJEAN, Executive Director, Federation of Southern Cooperatives, Atlanta, Georgia.

THE REVEREND RALPH RUIZ, Inner City Apostolate, San Antonio, Texas.

DAVID WALLS, Executive Director, Appalachian Volunteers, Inc., Prestonsburg, Kentucky.

PETERSON ZAH, Navaho Indian Reservation, Window Rock, Arizona.

The Southern Regional Council has been advised by legal counsel that all of the contributions received by it will be tax deductible by the donor. Funds received will be administered and dispensed according to the sole discretion of the Southern Regional Council, with the Advisory Committee acting in an advisory capacity only.

The Advisory Committee for Hungry Americans will make contributions to various recognized charitable organizations in both the rural and the urban areas of the United States. Funds to purchase food will be given to recognized charitable organizations that have been working with the hungry and the poor. It is expected that the following organizations, and organizations of a similar type, will receive funds that are contributed to The Southern Regional Council:

Appalachian Volunteers, Inc.
The National Council of Negro Women, Inc., for its hunger cooperatives in Sunflower and Bolivar counties, Mississippi, and other similar projects.
Operation Breadbasket, Chicago, Illinois.
South Carolina Council on Human Relations.
Mississippi Council on Human Relations.
The Inner City Apostolate, San Antonio, Texas.
The National Congress of American Indians.

The Robert F. Kennedy Memorial and The American Friends Service Committee have also agreed to work closely with The Southern Regional Council and its Advisory Committee for Hungry Americans to recommend various recognized charitable organizations to which funds to purchase food will be distributed.

We have set forth some figures below in order to give some idea of what one dollar contributed to The Southern Regional Council will mean to this nation's hungry. Based on statistics and estimates from the Department of Agriculture and the Office of Economic Development, The Southern Regional Council has estimated that the following sums will purchase the following meals:

$1 will provide a child with 3 meals per day, and an adult almost 3 meals a day.

$5 will feed a family of four for 1 day and will provide a child with 3 meals a day for almost a week, and an adult almost 3 meals a day for about a week.

$10 will provide a child with 3 meals a day for at least 10 days, and an adult with almost 3 meals a day for about 10 days.

Emory,

How does this rough draft grab you?

Susan

Hunger

RECENT DEVELOPMENTS AFFECTING FEDERAL FOOD ASSISTANCE PROGRAMS

Department of Agriculture

Food Stamp Bonus - The National Council on Hunger and Malnutrition reports that the USDA announced in December an expansion of food stamp benefits for approximately 500,000 persons in four-person households with monthly net incomes of less than $70. The revised program schedule would couple a decrease in the down payment each family must make with an increase in the bonus stamps issued and would cost an estimated $14 million in fiscal 1969. While the changes would enable the poorest families - those with incomes less than $20 a month - to buy more food ($60 worth for an outlay of $2 in the North as compared with $52 currently, $58 for $2 in the South instead of $48), the $2 minimum payment would be retained, effectively denying participation to those with no income. Most low income families would still be forced to spend one-third or more of their income on food, an exceedingly disproportionate slice of their limited budgets, considering the normal American family's food expenditures of 17 to 18% of income. The new schedule also continues the practice of providing a smaller amount of total stamps for families in the lowest income brackets, even though the nutritional needs of a family do not increase with income. For example, a family in the North with net income under $20 can obtain only $60 worth of stamps, whereas a family earning $70 can can get $66 dollars in stamps. Neither of these sums amounts to more than 62% of the $107 a family of four must spend monthly to secure a minimum adequate diet according to ex-Secretary Freeman.

Areas Without Food Programs - The Council also reports that approximately 470 counties and independent cities still have no food program, although USDA now confronts law suits in 26 states seeking to require it to put a federal food program in effect in every county. 235 additional areas were designated for food stamps on November 18, including 94 counties that had no previous federal food aid.

School Lunch Guidelines - On the national school lunch program the Council reports that as of February 1, all schools and service institutions participating in the school lunch program had to announce publically and put into effect their policies and procedures for determining the eligibility of children for free or reduced price meals as well as to operate food service programs in such a way that children receiving free or reduced price meals could not be identified. Schools which do not comply cannot continue to receive federal school lunch funds after July 1, 1969, or come into the program from now on. The

Committee on School Lunch Participation, Suite 2030, 10 Columbus Circle, New York, N.Y. 10019 (212) 586-8397, is collecting school district policy statements and sponsering a nationwide monitoring of adherence to USDA regulations embodying these requirements.

Nutrition Aid~~s~~ - The Council reports that under the nutrition aide program conducted by the USDA's Federal Extension Service with Section 32 funds, aides are being given an average of three weeks training by professional home agents with materials developed by the Serviceand sent into the field supervised (one professional for every 15 aides). Approximately 4,500 aides are scheduled to be ready to work by the end of the month and will be expected to handle caseloads of between 35 and 50 families by June.

Congress

McGovern Committee

In July of 1968 the Senate established the Select Committee on Nutrition and Human Needs to study the extent of malnutrition in the United States and recommend more effective methods of administering federal food programs. Until the testimony of Dr. Arnold Schaefer of the U. S. Public Health Service in January, no federal official or politician (What! Hunger in my state!) would admit that hunger even existed. On the basis of a 1967 preliminary study, Dr. Schaefer testified to the existance of a shocking incidence of "malnutrition" and "hidden hunger" as well as the prevelance of ~~such diseases as~~ a number of nutritional diseases thought to have been eradicated in this country. Dr. Schaefer reported that conditions in the United States were as serious and in some cases more serious than ~~in~~ those in a number of the world's underdeveloped countries. When asked by a reporter after the hearing why Mississippi had not been included in those states examined in the study, Dr. Schaefer indicated that certain political leaders from that state prefered that Mississippi not be included and also mentioned that FBI agents attached to the House Agriculture Appropriations Subcommittee headed by Rep. Jamie Whitten (Dem.-Miss.) ~~had~~ had questioned him about his "motives" for conducting the survey. These FBI agents ~~are~~ also questioned many of the poor people who testified before the U.S. Commission on Civil Rights when that body held hearings in Alabama last year.

After Dr. Schaefer's testimony, the McGovern committee faced an attempt by the Senate Rules Committee to cut its request for a $250,000 operating budget by $100,000. (The Senate Rules Committee gave no explanation for the attempted

reduction but did approve $450,000 for the Internal Security Subcommittee which filed no reports and presented no legislation but received $800,000 last year). McGovern's efforts to restore the cut funds were successful primarily because of the testimony of Sen. Ernest Hollings (Dem.-S.C.) who publically admitted to covering up the hunger problem in ~~his~~ South Carolina when he was governor of that state in order to attract industry. ~~to~~ Holling's testimony led to the establishment of a pilot program for Beaufort and Jasper counties, South Carolina, which allows families of four with less than $30 a month income to obtain free food stamps. McGovern's mixed reaction over the too little,too late attitude of the USDA prompted him to comment "The residents of Beaufort and Jasper counties are justifiably upset that more than 1,700 families with incomes of less than $100 a month will still have to pay 30 to 50 per cent of their income for stamps.".
The McGovern committee's success in focusing national attention on the problem of hunger should continue with a number of planned field "inspection" trips to hunger areas. The committee visited a Florida migrant labor camp ~~in Florida~~ in March and plans more field trips to ascertain the effect (or lack of effect) of present food programs and draw attention to the existance of hunger in the richest nation in the world.

Budget - The National Council on Hunger and Malnutrition reports that the USDA's Consumer and Marketing Service budget estimates for the fiscal year from July 1, 1969 ~~to~~ through June 30, 1970 reflect expenditures of approximately $644 million for child feeding programs (up $21 million from fiscal year 1969), $725 million for family feeding programs (an $177 million increase), $63 million in direct distribution to institutions (a decline of $1 million), and $15 million for nutritional aides and education ($5 million more) for a grand total of $1.45 billion for food assistance. In order to put the $1.45 billion slated for all food programs in the forthcoming fiscal year in some perspective, it is appropriate to note that the Bureau of the Budget estimates that this country will spend between $75 and $80 billion for defense with approximately one-third of that amount going towards Viet Nam; the United States will spend over $6 billion in the 1969 space program; president Nixon has proposed spending $7 billion on the controversial antiballistic missile system; on March 26, the Senate Appropriations Committee handily approved and extra $1 billion for the Commodity Credit Corporation to carry on farm price support programs .
All family feeding programs represented less than 3.5 per cent of total USDA expenditures and were equivalent to 6.7 per cent of the direct payments made to farmers in 1967; $111 million of 1969 Section 32 funds (section 32 monies constitute a permanent appropriation of 30% of annual customs

receipts) will be wasted by this July unless the USDA decides to spend them.;the traditional $300 million carryover balance to cover emergencies remains unobligated; most estimates of the amount of money the government must spend to eradicate hunger range from $1 to$2 billion in addition to the $1.2 billion presently being spent.

Alternatives

A national commitment, human and monetary, is necessary to successfully eradicate hunger in the United States. The lack of such a commitment is ~~necessary~~ obvious in the unrealistic manner food assistance programs are funded and the inflexible manner these programs are administered. A number of methods have been suggested to improve the effectiveness and administration of these programs:

- Remove the food assistance programs fron the production oriented Agriculture Department and place them under the direction ofa national non-profit committee or group whose prime concern would be to deal with the problem of hunger.
- Increase federal controls over the administration of food programs. Present policy allows local, almost autonomous control creating widely varying standards for such basics as qualifications for entry into food stamp and commodities programs. (Southern welfare officials, as an example, are not notorious for their willingness to help black folks). If present programs are to be expanded, the expansion should be accompanied by more federal control.
- The National Council on Hunger and Malnutrition reports that Sen. McGovern has suggested eight steps that could be immediately taken without awaiting new programs or ~~lege~~ legislation. The first was"a declaration of national policy and urgency that no citizen of this nation will be permitted to go hungry or malnourished" to be supported by action by the USDA Secretary "to institute emergency food distribution programs in food stamp counties and counties without food assistance where there is a clearly recognized problem of hunger." Additional remedies for the malnutrition crisis suggested by McGovern for prompt implementation by USDA and other concerned agencies included making all 22 commodities available in every distribution locale; adding CSM pasta (a product containing a mixture of cornmeal, soybean flour, and dried milk, 3/4th of a pound of which provides all the daily individual requirements of proteins, vitamins and minerals) as the 23rd commodity for nationwide distribution; charging poor people who buy food stamps only what they normally spend for food; starting to provide free breakfasts and lunches for the needy in every rural and urban ghetto school; commiting funds to complete the National Nutrition Survey in a minimum of 20 states; and agency monitoring of the food that actually gets d delivered at the local level.

MEMO FROM THE DESK OF:

Emory F. Via

Dear Dale:

Pardon the informality, but my secretary is sick.

Here is a revised version of the speech. Consider yourself tongue-lashed for sending a verbatim transcript to me. Greater troubles hath no man than to see his words one for me. It would make Ike look good.

I have revised, hoping for clarity, reducing redundancy, but yet maintaining the informality of the spoken word. I do not know what

MEMO FROM THE DESK OF:

Emory F. Via

your space and propriety needs are, but you, of course, may edit further.

I hope this helps.

You will note the absence of a title.

Good luck. Thanks.

Jim

Rox

Recent Effects of Racial Conflict on Southern Industrial Development

By

HERBERT HILL

Reprinted from PHYLON

THE ATLANTA UNIVERSITY REVIEW OF RACE & CULTURE

Fourth Quarter 1959

REPRINT SERIES NO. 170

INSTITUTE OF LABOR AND INDUSTRIAL RELATIONS

The Idea of Industrial Democracy in America: 1915-1935

by MILTON DERBER

UNIVERSITY OF ILLINOIS BULLETIN

Industrial Development

Anheuser-Busch Buys Virginia Tract for Plant, Residential Community

By a WALL STREET JOURNAL *Staff Reporter*

ST. LOUIS—Anheuser-Busch Inc. purchased approximately 4,000 acres in James City County, Va., near Williamsburg for a planned industrial-residential community. Included will be a two-million-barrel brewery and a Busch Gardens-type recreational attraction.

Construction of the brewery, to cost about $40 million, will begin in 60 days. It will employ about 300 persons.

The project will be the concern's first entry into real estate development. It will ultimately contain an industrial area, low- and medium-density housing areas, recreational areas such as golf courses and marinas, tourist and convention accommodation areas, and a Busch Gardens amusement park attraction. Anheuser-Busch officials said the company "has been actively studying the land development business for the past 12 months as a part of its long-range diversification program."

Anheuser-Busch has under construction a plant at Merrimack, N.H.

9-17-69
Wall St. Jnl

Industrial Development 9-29-69

If finding skilled labor is a problem in your state, you're in a sad state.

Come to South Carolina. And be in a happy state.

Because we have over 175,000 skilled workers. Their median age is 23.4 years. Their work stoppage record is the lowest in the country (0.3% of time lost in 10 years).

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For more information send for our free booklet "South Carolina: resource for industry." Write to: J. D. Little, Jr., Director, State Development Board, Dept. 56A, P.O. Box 927, Columbia, S.C. 29202.

South Carolina

Business is good here.

the second quarter, reports the Commerce Department.

EV— Industrial Relations

Company Chaplain Becomes a Fixture In World of Mammon

Wall Street Jnl 12/29/69

More Concerns Hire Ministers For Prayer and Counseling; Some Clergymen Are Critical

By PAUL BERNISH
Staff Reporter of THE WALL STREET JOURNAL

MEMPHIS—At Holiday Inns Inc., few employes carry a broader responsibility than W. A. Nance. His job: Help "bring God into the profit picture."

That assignment comes from Wallace Johnson, chairman of the big motel chain headquartered here. Mr. Johnson, who is a deacon in the Baptist church, is deadly serious about blending God and profits, although he says "a lot of folks think maybe it's not right." "I think God belongs in every part of our lives," he explains in a reprinted speech the company proudly distributes.

Mr. Nance, who is an ordained Methodist minister, sees to that at Holiday Inns. He's one of a growing breed, the company chaplain.

Every Wednesday morning the Rev. Mr. Nance leads Holiday Inns executives in a 7:30 prayer breakfast. He and his assistant, the Rev. Charles Woodall, are full-time Holiday Inns employes, and they dedicate every new motel, counsel some of the concern's 90,000 employes on personal problems and see to it that other corporate activities reflect the religious concern of top management.

Mr. Nance insists that his work is "separate from the idea that religion can be used for business." But William B. Walton, Holiday Inns president, seems to see it differently. "The chaplains' program and other similar programs we have are the difference between success and failure" for the company, he says.

Swelling Ranks

Other companies might not go that far, but many are hiring chaplains. "There may be as many as 100 industrial chaplains in the U.S.," says George Cummins, a chaplain director for the Southern Baptist Convention. "Since the end of World War II, there's no doubt the number of such chaplains has doubled—and maybe even tripled."

International Telephone & Telegraph Co., for example, has four chaplains working north of the Arctic Circle, where about 1,000 employes help man a radar net. The four include two Protestants, a Catholic priest and a rabbi. One is the Rev. Paul Maurer of the United Church of Christ, a 70-year-old, tobacco-chewing Nebraskan who has logged more than one million miles in company aircraft.

The trend toward corporate chaplains is particularly strong here in the South. Henry Nading, owner of the largest shopping center in Winston-Salem, N.C., hired one to counsel unhappy employes and even shoppers there.

Often, concerns expect their chaplains to boost profits by bolstering employe morale—an expectation that annoys some men of the cloth. "If a company has to measure the success of a chaplain's program by the amount of worker efficiency, it's not ready for the program," says Rev. Rodney Brown, a young Methodist chaplain at R. J. Reynolds Tobacco Co.

Besides, says Mr. Brown, "anyone who says we help the company's balance sheet is talking a lot of blooey."

Seeing "Mr. Pete"

In theory, a chaplain is there to solve problems, but it doesn't always work out that way. The Rev. J. Gordon Peterson, who doubles as chaplain and personnel director at Texas Aluminum Co. in Rockwall, Tex., complains that "I interview lots of job applicants, and sometimes when they find out I'm also a chaplain I don't see them again."

Mr. Peterson, a Baptist minister, say he's attacking that problem "by avoiding the 'Reverend' or 'Brother' handle." He encourages new employes to call him "Mr. Pete."

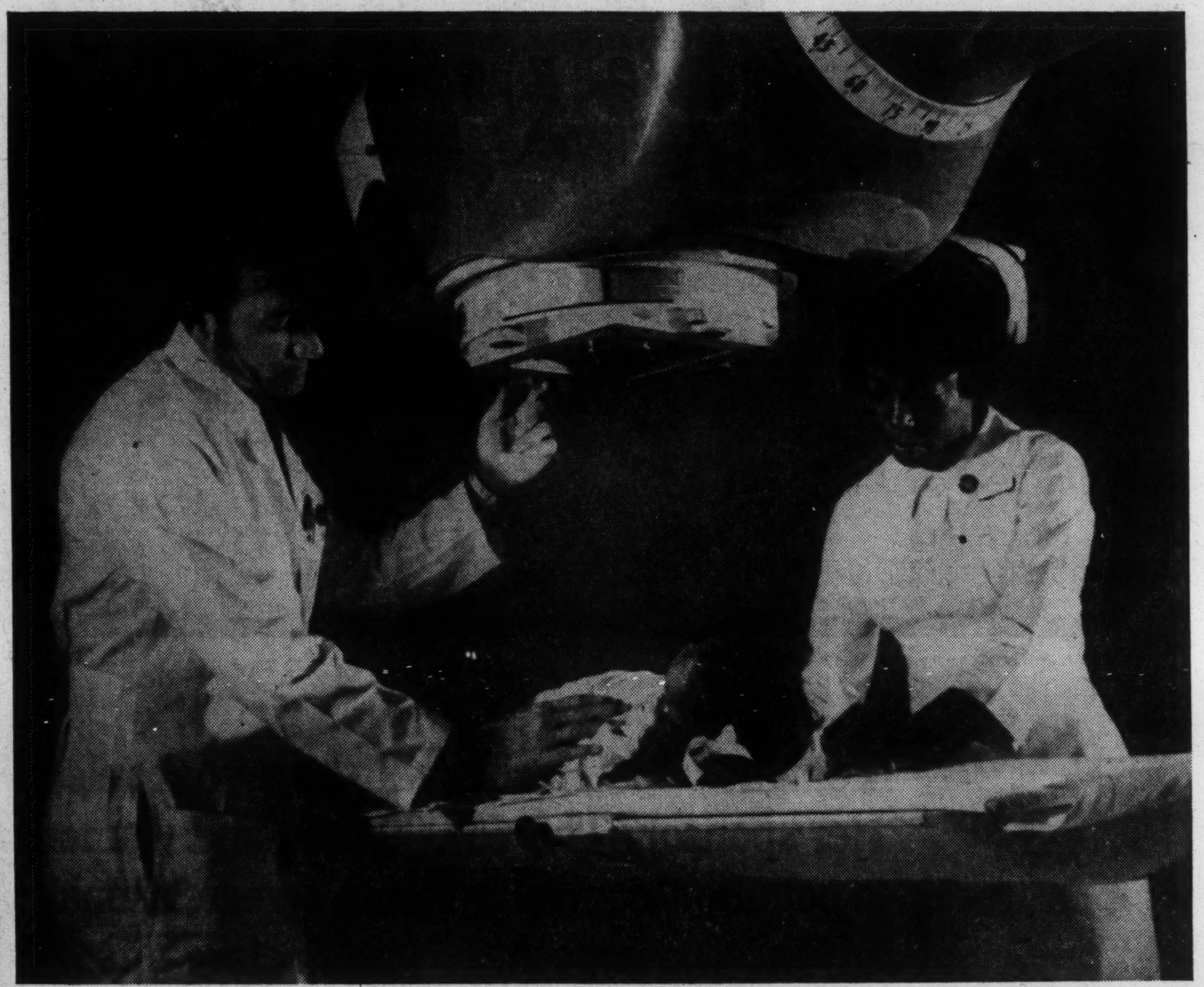
Some critics assert that company chaplains undermine loyalty to local churches and substitute a bland, therapeutic religion for church worship. But chaplains reply that they have no intention of supplanting local ministers and say much of their work is fruitful. "We're just trying to help everyone, from management down to the floor sweepers," says the Rev. Mr. Brown of R. J. Reynolds, whose training includes work at the Menninger Foundation, the Kansas psychiatric clinic.

Some of the problems chaplains solve are relatively trivial. Mr. Woodall, the Holiday Inns employe and a minister of the Christian Church (Disciples of Christ), once had to settle an argument between an employe and her supervisor. The employe insisted on placing Bibles in the women's rest rooms at Holiday Inns headquarters; the supervisor was opposed. Mr. Woodall persuaded the employe to drop her plan.

But there are serious problems, too. A Holiday Inns secretary says Mr. Nance was "a wealth of comfort and help" after her husband died recently. Another employe here praises the "good, practical advice" Mr. Nance gave him during two weeks of every-night counseling when bracing for the impact of an impending divorce.

Industrial Development

MEMPHIS
backs up your business



One of the country's largest cobalt machines for radiotherapy is at St. Jude Children's Research Hospital in Memphis.

with the South's largest medical center

The Memphis Medical Center is a lot more than hospitals. It's a whole complex of institutions dedicated to keeping the Mid-South healthy. It includes a major medical school (University of Tennessee) as well as research laboratories and nationally acclaimed specialized clinics, making it the largest, fastest-growing medical center in the South.

When you're looking for a plant location, remember the Memphis basics: good sites, vocational training facilities, excellent distribution, and pure artesian water. But consider the Memphis extras, too—like the first-class health care your people can get in the Memphis Medical Center, and the progressive attitude of the city that created such a center.

For the whole Memphis story, write Dan Dale, Director of Industrial Development, Memphis Light, Gas & Water Division, Box 388 AA, or Ralph U. Thomas, Manager Economic Development Dept., Memphis Area Chamber of Commerce, Box 224 AA, Memphis, Tennessee 38101.

Greater Memphis Program . . . Memphis Area Chamber of Commerce

UNIVERSITY OF NEW HAMPSHIRE
DURHAM, NEW HAMPSHIRE 03824

SEACOAST EDUCATIONAL
ADVANCEMENT PROGRAM

Community Organization Project
Southern Regional Council, Inc.
5 Forsyth Street N.W.
Atlanta, Georgia 30303

September 24, 1970

Gentlemen:

Could you please send a copy of your Handbook for Community Organization to the following name and address:

Mr. Peter Aho
VISTA
1 Incinerator Road
Durham, New Hampshire 03824

Sincerely,

Sally Helms

(Mrs.) Sally Helms
Secretary to Peter Aho

PROJECT EQUALITY

NATIONAL CATHOLIC CONFERENCE FOR INTERRACIAL JUSTICE 1307 SOUTH WABASH • CHICAGO, ILLINOIS 60605 • (312) 341-1530

NEWS

Vol. 3, No. 7 September, 1970

Beware of faddist issues: The national chairman's message....

Those who watch our actions--whether their vantage point is from within or without the program--are observing a unified Project Equality increasing in strength at almost all levels. More local offices are doing more compliance reviews with greater efficacy. The several levels of the program understand better their respective relationships to the whole and because of that, relate better to the whole, and each other. The national support and coordinating staff, living within its known income, is lean, and efficient, operating with imagination under the leadership of Bob Hoppe.

But against this vista of continued progress, I can sense, if not see, an under-current eroding the base of support that we have come to expect and did receive during the latter part of the 1960's. Specifically, I am concerned about the increasing evidence that those persons who, in the past, found our purpose, project and program worthwhile (i.e.--worthy of financial support) have had their attention shifted to areas more "in" for the moment, a shift of attention unfortunately carrying with it their energies and monies.

Accompanying this shift is the implicit assumption that the problems that caught their attention and received their support and energies in the 60's have all been solved, and that they must now move on to the "new" problems of the 70's.

An example. I recently attended a meeting held at the "council of churches" building in a major metropolitan area. Its several display areas were totally devoted to recitation of the problems of our environment and ecology, identifying them as the great challenge of the 70's.

My general concern is that many white liberals have a marked tendency to be "faddist" in their interest--they leap from cause to cause, never devoting sufficient time and effort to any one problem to progress toward a solution of it before their interest is caught by a more "in" cause. Their staying power is short.

A more specific concern is that many causes, ecology being one, are "neutral" and afford the supporter thereof a refuge from truly facing up to his own relationship to other human beings--a relationship manyfold more critical than his relationship to his environment or it to him.

Our religious institutions should be particularly concerned with man's relationship to man, and supportive of programs purposed to improve it. But beware of the dissipation of their support toward programs and causes requiring less-personal, deep-conscience commitment. It is at this level that the PE program must be on guard.

John K. Cannon
National Chairman

WE REPRODUCE HERE THE FIRST ISSUE OF "ACTION REPORT" ISSUED BY THE KANSAS WESTERN MISSOURI

PROJECT EQUALITY®

ACTION REPORT

PROJECT EQUALITY OF KANSAS-MISSOURI, 2416 Swope Parkway, Kansas City, Missouri 64130

NEW FIRMS LISTED

FRANK BANGS CO., INC., Wichita, Kansas

CEDAR ROOF & METAL SPECIALISTS, Wichita, Kansas

COMMERCIAL NATIONAL BANK Kansas City, Kansas

DOUGLASS STATE BANK Kansas City, Kansas

HARMON OFFICE SUPPLY, INC. Wichita, Kansas

MILGRAM FOOD STORES (40 stores in Kansas City area)

SMITH PAPER SUPPLY CO., Lawrence, Kansas

STEFFEN DAIRY FOODS CO., INC., Wichita, Kansas (Includes Peter Pan Ice Cream Stores in Kansas)

AVIS RENT-A-CAR (national listing)

HOTEL CORPORATION OF AMERICA (national listing)

SHERATON HOTELS (national listing)

Check your Buyers Guide for all listings. The firms noted above are newly listed firms which have recently filed their report of employment statistics with Project Equality.

FOCUS ON BAKERIES

The following bakeries are listed with Project Equality:

AMERICAN BAKERIES (Taystee Bread, Cookbook Cakes)

ITT CONTINENTAL BAKING COMPANY (Wonder Bread, Hostess Cake)

MANOR BAKING COMPANY (Manor Bread)

CAKE BOX BAKERS, Kansas City

* * * * * * * * * *

SUN OIL COMPANY . . . . .

is the only major oil company listed in the PE Buyers' Guide. DX and Sunoco service stations are the retail outlets of this firm. PE plans to do a national review of this firm this year. Do you have a DX or Sunoco credit card? If not, apply for one — noting that their participation in Project Equality promoted your action.

LEE WILLIAMS APPOINTED

Effective September 1, Mr. Lee A. Williams, 28, of Wichita, Kansas, joins the staff of Project Equality of Kansas-Missouri. He has been employed as a "Merit Employment Specialist" and will be based in Wichita, Kansas. His primary responsibility will be to conduct merit employment reviews with major employers of participating religious bodies sponsoring PE and business firms enrolled and listed in the Buyers' Guide.

Williams comes from the position of Associate Director for Economic Development and Employment with the Wichita Urban League. He recently provided assistance to 14 Wichita banks in setting up a training program for minority group persons to move into skilled positions in banking. He has also been providing counseling and placement services for minority group persons seeking employment.

In his new post, he will be assisting employers in evaluation of the systems which are used in hiring and upgrading employees and their impact on opportunities for minority group persons. In addition, he will also serve as a resource to major institutions and religious bodies in Central and Western Kansas to assist them in utilizing PE to validate vendors supplying them with goods and services.

Williams is a graduate of Sterling College and is presently enrolled at Wichita State University in a Master's Degree program in Personnel and Guidance. He is married and has five children.

NEW ADDITIONAL SPONSOR:

Missouri District of the Lutheran Church-Missouri Synod

A NEW MINORITY ENTERPRISE

A new firm in Kansas City developed with the assistance of the Black Economic Union, Henry Wurst, Inc., Swope Parkway National Bank, and the Small Business Administration is LITHON COLOR PRESS, INC. The firm has the capability of four-color printing and specializes in large runs of 10,000 to 10 million or more copies. Located at 4344 Clary Blvd. in Kansas City, Mo. (64130), the company is headed by Mr. Don Holt, President, and has eleven additional employees. Lithon is listed in the PE Buyers' Guide to be distributed in October and has received the contract to print the Buyers' Guide. Why not give Lithon a chance to bid on large quantity orders of brochures, leaflets, or booklets?

OFFICE AS A FURTHER EXAMPLE OF THE INITIATIVE IN COMMUNICATIONS BEING UNDERTAKEN LOCALLY

MERIT EMPLOYMENT REVIEWS

Companies which are listed in the PE Buyers' Guide have agreed to "cooperate with PE, if requested, in a discussion of our policies, practices, and the make-up of our total labor force with respect to ethnic groups, race, and job category." It might be best described as a *diagnostic evaluation* of the employment system utilized by the firm. The PE staff member who conducts the review has received training on how to assist firms to improve the utilization of minority group persons.

The review process essentially does two things:

1. It validates the EEO practices of firms reporting to PE.
2. It provides technical assistance to the employer to remedy methods or procedures causing under-utilization of minority group persons.

To be scheduled for and to undergo a review *is not* an indictment of that firm – but rather it is simply a part of the routine validation and assistance provided by PE to employers.

One illustration of results from this process was contained in a letter from Mr. Thomas Johnson, Asst. Personnel Mgr. of Concordia Publishing House in St. Louis. He noted that since the review had been conducted four months previously, "we have added ten minority individuals to the rolls of our permanent personnel. This includes positions in Composing, Retail Customer Service, Personnel, Building Service, Letterpress, General Office, Purchasing, Stock-Shipping, and Data-Processing areas which before had no blacks." Concordia is the publishing house of the Lutheran Church-Missouri Synod.

Within the last year, reviews have also been conducted of the Christian Board of Publication, Eden Publishing House (St. Louis) and six facilities and headquarters of the Methodist Publishing House in Nashville, Tennessee.

During the last couple of months, for instance, reviews have been conducted by Kansas-Missouri PE with the following firms:

Luzier, Inc. (a cosmetics manufacturer in K.C. and a subsidiary of Bristol-Meyers Company)

Frozen Foods Division of Standard Brands

American Bakeries (one of 28 facilities reviewed by national and local PE staff)

Fairmont Country Club Dairy, Kansas City

Kitty Clover Potato Chip Co., Wichita (both firms were part of a review of Fairmont Foods)

Commercial National Bank, K.C., Kansas

Jensen-Salsbery Labs Division of Richardson-Merrell, Inc.

Foley Heating and Plumbing Co., Kansas City, Mo.

Kansas National Bank, Shawnee Mission, Kansas

Bill Fagan, Inc., Kansas City, Kansas

EXECUTIVE DIRECTOR'S NOTE

This is the first of regular "Action Reports" to participants and sponsoring religious bodies in Kansas and Missouri. The purpose is to supplement the Buyers' Guide by providing up-dated information on new firms listed, information on companies of certain types of industries or business which are listed (note the focus on bakeries and oil companies in this issue). In addition, we will be reporting significant results which are occurring, and what local action groups within the two-state area are doing.

Project Equality today is the largest non-profit organization in the nation providing this service to employers and to religious bodies and their institutions. Our review process is seen by many firms as a management consultant service providing technical assistance in this important area of personnel work. Perhaps this is best described in a memo of one large firm notifying its local facilities that reviews were being scheduled by Project Equality. The memo said in part:

"Project Equality is a non-governmental, privately sponsored program designed to be of service and assistance in helping to accomplish a mutually shared goal – affirmative action for equal employment opportunity . . . While its aim is somewhat similar to that of the federal government . . . it professes to accomplish these purposes through methods which are far more positive in emphasis. Project Equality places a heavy emphasis on working toward the resolution of EEO problems with sound and practical suggestions that should be capable of achievement, as contrasted with merely identifying problem areas . . ."

You will note that we report those firms which are reporting to and working with Project Equality to achieve equal employment opportunity (EEO). PE emphasizes the positive by providing a way to support with your purchasing those firms which are actively working to offset the effects of historic discrimination which still plague our society.

Maurice E. Cullen

Annual Meeting of
Project Equality of Kansas and Missouri

Sunday, September 13 – 3:00 p.m.
Chancery Building – Archdiocese of K. C., Ks.
2220 Central Avenue

Election of Board: Reports on Program

Speaker: Joseph Kredens
National Compliance Supervisor, Chicago

New directors named in Seattle and Wilmington...

Derek M. Mills was appointed to head a new expanded operation in Seattle that will be known as PE of the Pacific Northwest, incorporating neighboring states to Washington.

Mills, 28, was formerly assistant professor in the Martin Luther King School of Social Change, Crozer Theological Seminary, in Philadelphia. Before that he was director of training of the Center for War/Peace studies in Seattle.

A founding board member of the Washington Democratic Council, Mills is married and the father of one child.

Named executive director of the Delmarva program in Wilmington was Leon A. Brinkley Jr., formerly director of the Delaware Regional Office of the National Conference of Christians and Jews.

Brinkley, 35, replaces Clyde Bishop, who has undertaken an advanced academic program as announced here last month. He was previously in the Philadelphia office of NCCJ as program director, was a training director in police-community relations and a teacher with the board of education in Philadelphia. He, too, is married with one child.

Waidmann to national compliance staff...

Joining the national office of PE as a compliance specialist is Arthur L. Waidmann, 34, who was previously the merit-employment compliance director of PE of Northeast Ohio, based in a suburb of Cleveland. He is a graduate of Eden Theological Seminary in St. Louis and ordained in the United Church of Christ.

In addition to several pastorates, he has worked in church-related social service agencies, ecumenical and antipoverty agencies in various Ohio cities. Married and the father of two children, he will work directly with Joseph Kredens, national compliance director.

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NEWS

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Southern Regional Council, Inc.
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

E Via

200 Bellevue Ave
Oceanside, New York
October 2, 1970

Community Organization Project
South Reg. Council Inc.
5 Torsyth St. N.W.
Atlanta, Ga.

Dear Sir:

I would appreciate it very much if you could send me the Handbook for Community Organization Project.

I will be using it for my job.

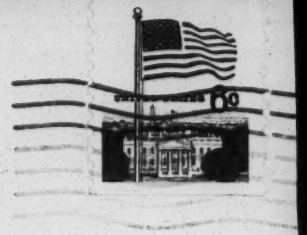
Thanking you in advance,

Mrs. Lynn Goldstein
529 East 85th
1-A
New York 10028

Very Truly Your,
Iris Jirau
Iris Jirau

Mrs. Iris [illegible]
200 Bellevue Ave
Oceanside, New York 11572

MINEOLA, N.Y.
OCT 2
1970



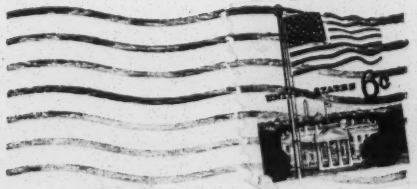
Community Organization Project
Southern Reg. Council Inc.
5 Torsyth St. N.W.
Atlanta, Ga. 30303

6 October

Dear Sirs,

Please be kind enough to send me your free booklet called "Handbook for Community Organization". I am doing a research paper and my teacher suggested that I use the booklet as a reference. My address is:

NEW YORK, N.Y.
-PM
9 OCT
1970



Community Organization
Program
Southern Regional Council
5 Forsyth St. N.W.
Atlanta, Georgia
30303

to be answered

Mrs. Lynn Goldstein
529 East 85th St 1-A
New York City, N.Y. 10028

Thank you for your cooperation.

Lynn. S. Goldstein

Mr. and Mrs. James H. Goldstein

Mrs. L. Goldstein
529 East 85th St 1A
New York City, NY 10028

Sorry not take /
[illegible] but [illegible]
is out of print. 6 new [illegible]
by Si Kalay [illegible] Hawthorne - Sorry

October 7, 1970

Mrs. Iris Jirau
200 Bellevue Avenue
Oceanside, New York 11573

Dear Mrs. Jirau:

We are very sorry that the handbook for Community Organization Project is out of print.

Sincerely,

Gwendolyn M. Sapp,
Secretary to Mr. Emory F. Via

P.O. Box 183
Andrews, South Carolina
29510

October 13, 1970

(Same letter)
Sorry part of
print

Community Organization Project
Southern Regional Council, Inc.
5 Forsyth Street, N.W.
Atlanta, Ga. 30303

Dear Sirs:

I am currently a VISTA serving with the Horry-Georgetown, E.O.C., a CAP agency here in South Carolina. While in training I came in contact with a booklet that had your Council's name associated with it. As it was one of the best summations of organizing I have found, I am most interested in obtaining a copy of it. The booklet is called, Handbook for Community Organization, and was printed in October, 1969. If you can assist me at all in obtaining a copy of this I would be most appreciative.

Sincerely,
James C. Dumm
(VISTA)

P.S. Any other information or material you think may aid me, I would appreciate hearing from you concerning it.

P.O. Box 183
Andrews, S.C.
29510

ANDREWS, S.C.
OCT 13
AM
1970
29510

Community Organization Project
Southern Regional Council, Inc.
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

AC

October 13, 1970

Mrs. Iris Jirau
200 Bellevue Avenue
Oceanside, New York 11572

Dear Mrs. Jirau:

We are very sorry that the handbook for Community Organization Project is out of print.

Sincerely,

Gwendolyn M. Sapp, Secretar
Resourdes Development Cente

October 13, 1970

Mrs Lynn Goldstein
529 East 85 Street
1-A
New York City, New York 10028

Dear Mrs. Goldstein:

Sorry not to be of assistance, but this publication is out pf print. A new publication by Si Kahn, published by McGraw-Hill is suppose to be available.

Sincerely,

Gwendolyn M. Sapp, Secretary
Resources Development Center

October 16, 1970

Mr. James E. Dumm
VISTA
P.O. Box 183
Andrews, South Carolina 29510

Dear Mr. Dumm:

Sorry not to be of assistance, but this publication, Handbook for Community Organization, is currently out of print. A new publication by Si Kahn, published by McGraw-Hill is suppose to be available.

Sincerely,

Gwendolyn M. Sapp, Secretary
Resources Development Center

TELEPHONE (901) 526-5132

MEMPHIS & SHELBY COUNTY
Legal Services Association
704 Dermon Bldg., 46 No. Third St.
Memphis, Tennessee 38103

Robinson ?

GEORGE H. BROWN, JR.
Executive Director

LEE F. MILLER, JR.
Deputy Director

December 18, 1970

Mr. Emory F. Via, Director
Resources Development Center
Southern Regional Council, Inc.
5 Forsyth Street, N. W.
Atlanta, Georgia 30303

ok. Place him on Subscription list Abell. Ft.

Dear Mr. Via:

Please send me your publication package which includes the quarterly New South and the monthly South Today plus other pamphlets and special reports.

Please bill me.

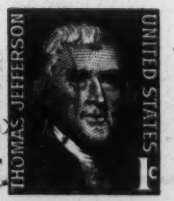
Yours very truly,

George H. Brown, Jr. /A.B.

George H. Brown, Jr.

GHBJ/ab

Request for Population Distribution Map



U. S. POSTAGE

Southern Regional Council Inc.

5 Forsyth Street NW.

Atlanta

Georgia 30303

MISS MARGARET C. McCULLOCH
41[illegible] SOUTH [illegible]LE STREET
MEMPHIS, TENN. 38111
PHONE 458-0919

Ad 26
.11

Dear Friends: Last Spring I wrote to inquire whether you had made or in the making a map based on the 1970 census such as you made for 1960 census of proportion of Negro or white in Southern counties. You thought you probably would have soon but not certainly. Please if you do have send me 3 copies now or let me; if not let me know prospects. Sincerely, Margaret C. McCulloch

Hotel Claridge
820 CONNECTICUT AVENUE, N. W.
WASHINGTON, D. C. 20006

William D. Odom, Manager 783-5240

The World Press Institute
Macalester College
St. Paul
Minnesota 55101
15th Feb '71

Dear Mr. Sapp:

Thanks a lot for the material you plan to send me on church related race positions. I am looking forward to them.

I will be back in Ghana in June and I hope you will put me on your mailing list for material on race problems in the U.S.

My permanent address in Ghana:

P.O. Box 1734
ACCRA
Ghana
(west africa)

I hope it will be possible to be of help to your Council someday.

yours Sincerely
ISAAC ANDOH

Return in 5 Days to
Hotel Claridge
820 CONNECTICUT AVENUE, N. W.
WASHINGTON, D. C. 20006

WASHINGTON, D.C. 20
PM
16 FEB
1971

File
I = Requests

Mr. Gwendolyn M. Sapp
Southern Regional Council, Inc.
5 Forsyth Street, N.W
Atlanta, Georgia 30303

MAR 26 1971

JOINT APPRENTICESHIP PROGRAM

WORKERS DEFENSE LEAGUE / A. PHILIP RANDOLPH EDUCATIONAL FUND

March 25, 1971

Ernest Green
Director
Charles E. Bremer
Assistant Director
John C. Swann
Tutor-Coordinator
William M. Ross
Field Supervisor
Donald Roffle
Journeyman Program Developer
Mary Elstak
Controller
Lois Ricks
Administrative Assistant
Maizie Fulston
Institute Director
Patrick Flack
State Coordinator
Durwood Kennedy
State Building Trades Liaison
Field Representative
CHARLOTTE, N.C.
Clarence Moore

National Office
1520 Bushwick Avenue
Brooklyn, N.Y. 11207

Executive Committee
CO-CHAIRMEN:
Bayard Rustin
Rowland Watts

Thomas R. Brooks
John Burnell
Bernard Englander
Harry Fleischman
Samuel H. Friedman
Victor Gottbaum
Edward Gray
Burton Hall
Norman Hill
John Lewis
Frieda Langer
Roget Lockhard
Emanuel Muravchik
Johnny Parham
Donald Slaiman
Irwin Suall

Mr. Emery Via
Southern Regional Council
5 Forsyth Street
Atlanta, Georgia

Dear Mr. Via:

Would you please send me some copies of the book "Know your Rights".

Thank you and I look forward to hearing from you soone.

Sincerely yours,

Patrick Flack

Patrick Flack
N.C. State Coordinator

PF/bm

CHARLOTTE OFFICE / **2135 BEATTIES FORD ROAD, CHARLOTTE, N.C. 28202 / (704) 394-4126**

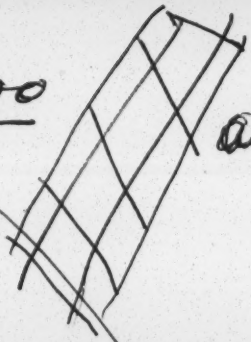
Dear Pat:

Good to hear from you. Five copies of "Know Your Rights" are being sent under separate cover. You can hand this pamphlet in bulk for a price.

Sincerely,

EEV

$15.00



already filled

[How many sent to Foundation for Community Development]

[775 Copies]

Harmony Shipped to them

Harmony at SRC

RAYMOND M. WHEELER, PRESIDENT
JOSEPHINE WILKINS, VICE-PRESIDENT
C. G. GOMILLION, VICE-PRESIDENT
LUCIUS H. PITTS, VICE-PRESIDENT
FRANK SMITH, VICE-PRESIDENT
VIVIAN W. HENDERSON, CHAIRMAN, EXECUTIVE COMMITTEE
JOSEPH HAAS, COUNSEL
PAUL ANTHONY, EXECUTIVE DIRECTOR

Southern Regional Council, Inc.
5 FORSYTH STREET, N. W. ... GEORGIA 30303

A Council to attain the ideals and practices of equal opportunity for all peoples in the South

Info Requests

March 29, 1971

Mr. Patrick Flack
North Carolina State Coordinator
2135 Beatties Ford Road
Charlotte, North Carolina 28202

Dear Pat:

Good to hear from you. Five copies of "KNOW YOUR RIGHTS" are being sent under separate cover. You can have this pamphlet in bulk for ~~a price~~. 15¢ a piece

Sincerely,

Emory F. Via, Director
Resources Development Center

EFV/gms

743 Aaron Street
West Helena Ark 72390
May 3 1971

MAY 6 1971

Mr Emary L. Vin Director

Dear Bro Vin

I'm just returning from the 2nd. Annual Conference of the A. P. Philip Randolph Institute held in Chicago it was there I was introduced to a Placard title "Hands that Pick Cotton Now can pick Our Public Officials"

I'm launching a County Wide Voters Registration drive beginning May 27th under the direction of Sis. Fannie Rene. Would you Please send me 100 of the Cards to spread out over this County.

May be I done Wrong there weren't enough for all you to get 1 so I gave the delegates your name and address. you might be swamp with requests

I'm sure you remember me I'm President of the Philip, Monroe, Lee & St. Francis Labor Council AFL-CIO. We meet in Forrest City, Arkansas

Fraternally yours
Robert Perry

COMMUNITY ACTION COMMISSION

of Santa Barbara County

P. O. BOX 1348 93102

232 EAST MONTECITO STREET
SANTA BARBARA, CALIFORNIA
93101

805 965-1035

May 17, 1971

Community Organization Project
South Regional Council Inc.
5 Forsyth Street N.W.
Atlanta, Georgia 30303

Gentlemen:

Handbook for Community Organization

Not too long ago the undersigned requested that ten copies of your "Handbook for Community Organization" be sent to our office and that we be billed. A further request was that the price of the handbook be given to us in order that we send the amount needed if the above could not be done.

I would appreciate an answer from your office as soon as possible on this request as the handbooks should be of great value to our outreach personnel.

Sincerely,

Ruben C. Cuellar

RUBEN C. CUELLAR
DIRECTOR
COMMUNITY DEVELOPMENT

RCC/ap

P. O. BOX 1348
SANTA BARBARA, CALIF. 93102

Community Organization Project
South Regional Council Inc.
5 Forsyth Street N.W.
Atlanta, Georgia 30303

June 1, 1971

Mr. Ruben C. Cuellar, Director
Community Development
323 East Montecito Street
Santa Barbara, California 93101

Dear Sir:

The Handbook for Community Organization is currently out of print. However, we do recommend a publication by Mr. Si Kahn entitled, How People Get Power: Organizing Oppressed Communities for Action.

This book is available from McGraw-Hill Book Company, 330 West 42nd Street, New York, New York 10036.

Sincerely,

Gwendolyn M. Sapp, Secretary
Resources Development Center

June 8, 1971

Mr. Mike H. Lawler
#139 Pleasant Street
Arlington, Massachusetts

Dear Mr. Lawler:

Attached is a list of persons whom I think would be useful for your students to visit on their southern tour or whom you might be able to use in the orientation program.

Under separate cover I will be sending some publications. The list of them is also attached.

The March, 1968 MONTHLY LABOR REVIEW was a special issue entitled "Labor in the South". Several of these articles might be useful for your group. I would especially recommend the one by Ray Marshall. A copy of my own article in the MLR will be included in the materials I am sending you.

Regarding strip mining, the publication of the Council of the Southern Mountains, MOUNTAIN LIFE AND WORK, has run several articles recently. A major article has appeared in ENVIRONMENTAL ACTION. The TVA magazine has recently run an

article on strip mining providing a rationale as to how it can be done with minimal destructive side effects. I will attempt to locate the exact citation for these and include them on the list of publications.

The Retail, Wholesale, Department Store Union, Local 1199 (located in New York City) (which organized the hospitals in Charleston has produced a film about the strike. It would be well worth viewing during your orientation session. I think it would be available from the local or from the Education Department of the AFL-CIO in Washington.

There are a number of good labor and labor related people in the states you intend to visit. In Virginia I would especially recommend Brewster Snow and also Julian Carper. Earl Davis, when he is home, is in Richomond and a black worker on the staff of C.O.P.E.

In North Carolina Wilbur Hobby would be an excellent resource. Aside from his present position, he has been an area C.O.P.E. director and a local union official. Scott Hoyman is not only a regional director but a vice president of the Textiles Workers Union. Jim Pierce is a past regional director for the Industrial Union Department, AFL-CIO. Dan Pollitt would be particularly knowledgeable about the interaction between labor law and southern union progress. In West Virginia you will note that I am suggesting Miles Stanley and two persons connected with labor education activities at West Virginia University (Humphreys and Tapper).

In Tennessee Matt Lynch is the State AFL-CIO President and Dan Powell is the area C.O.P.E. Director (working in several southern States).

Three other people might be of use to you, depending on what your schedule and budget will allow. If you are stopping in Washington, I would suggest using George Guernsey who has had a long time association through labor education activities with a large number of southern union leaders. He would be especially skilled, I think, with young workers groups. In the Economics Department at MIT Mike Peore has developed some expertise about the relation of unions, seniority questions, and discrimination. I dm not think he would profess to be a southern labor expert, but he is very well informed on those issues with whichhe has dealt. Vera Rony would be an excellent person to use in your orientation session if your' budget allows. She has worked with both southern labor groups and with civil rights and student activists. Articles by her will be included in the materials mailed. As a general rule, any articles by Marshall will prove to be "meaty."

I trust these suggestions, attachments, and materials will prove to be useful.

Sincerely,

Emory F. Via, Director
Resources Development Center

EFV/gms

June 10, 1971

Mr. Robert F. Hampton, Chairman
United States Civil Service Commission
1900 "E" Street, N.W.
Washington, D.C. 20415

Dear Mr. Hampton:

Enclosed are copies of correspondence to Postmaster General Blount.

This matter should be of equal concern to the Civil Service Commission.

Sincerely,

Paul Anthony,
Executive Director

PA/gms

MEMORANDUM

TO: Bob Anderson, Betsy Fancher, Jim Wood, Reese Cleghorn, Leon Hall, Butch Wright

FROM: Emory F. Via

DATE: June 11, 1971

This is a reminder to suggest names of principals or superintendents with secondary school responsibilities that should receive our mailing. We are looking for:

1. Up to 10-12 who might preview our materials
2. 50 situations where we can cause or stimulate some follow-up action,
3. Approximately 500 names on a "sampling" basis.

Please give your suggestions to either Leon Hall or to me.

THANX

EFV/gms

RAYMOND M. WHEELER, PRESIDENT
JOSEPHINE WILKINS, VICE-PRESIDENT
C. G. GOMILLION, VICE-PRESIDENT
LUCIUS H. PITTS, VICE-PRESIDENT
FRANK SMITH, VICE-PRESIDENT
VIVIAN W. HENDERSON, CHAIRMAN, EXECUTIVE COMMITTEE
JOSEPH HAAS, COUNSEL
PAUL ANTHONY, EXECUTIVE DIRECTOR

Southern Regional Council, Inc.
5 FORSYTH STREET, N. W. ... A 30303

A Council to attain the ideals and practices of equal opportunity for all peoples in the South

June 14, 1971

Mr. S. T. Muller, Principla
Jackson Heights Elementary School
P.O. Box 128
Oviedo, Flordia 32765

Dear Mr. Muller:

June 14, 1971

Mr. Bernard Aronson
222 Jackson Street
Berea, Kentucky 40403

Dear Mr. Aronson:

How is the Black Lung Project coming? I would be happy to have a progress report or see a draft.

Sincerely,

Emory F. Via, Director
Resources Development Center

EFV/gms

COLLEGE OF BUSINESS

VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY

Blacksburg, Virginia 24061

INDUSTRIAL AND LABOR RELATIONS PROGRAM (703) 552-6195

June 23, 1971

JUN 29 1971

Mr. Emory Via
Southern Regional Council
5 Forsythe Street, N W
Atlanta, Georgia 30303

Dear Emory:

It was good to see you in Birmingham, although I wish we had been able to talk more with each other.

I wonder if you could supply me with a copy of June, 1970 issue of South Today, your monthly newspaper. I understand this issue contains an article on the public sector unionism in the South.

I am trying to get Brewster to call an early meeting of the advisory committee to discuss future plans here in Virginia. I shall try to advise you when I know of the date which has been set.

Cordially,

Jerry

Jerald F. Robinson
Coordinator

JFR:js

THE UNIVERSITY OF TEXAS AT AUSTIN
CENTER FOR THE STUDY OF HUMAN RESOURCES
AUSTIN, TEXAS 78712

Garrison Hall 300
512—471-7891

October 19, 1971

Dr. Emory F. Via, Director
Resources Development Center
Southern Regional Council
52 Fairlie Street, N.W.
Atlanta, Georgia 30303

Dear Emory:

In going through some materials on the contractors project today, I remembered that you were interested in the evaluation of the apprenticeship outreach programs which I ran across in the Atlanta OFCC. Unfortunately, OFCC failed to send me a copy of it as I requested. I suppose they considered it "in-house" information.

In case you have any good sources from which to obtain it, the reference is as follows:

> Boise Cascade Center for Community Development, "Report of An Evaluation of the Apprenticeship Outreach Program," prepared for the Manpower Administration, U.S. Department of Labor (March, 1970).

Secondly, I would very much like to obtain a copy of a paper on Atlanta which you showed me from your file when I last visited the SRC. As I recall, it was a mimeographed paper by Vernon Jordan et al. for Better Schools Atlanta entitled "Education in Atlanta." If you can dig this up and Xerox a copy for me, I would much appreciate it. Please bill me for the Xerox costs.

Best personal regards.

Sincerely,

Robert W Glover

Robert W. Glover
Research Associate

RWG:stt

RAYMOND M. WHEELER, PRESIDENT
JOSEPHINE WILKINS, VICE-PRESIDENT
C. G. GOMILLION, VICE-PRESIDENT
LUCIUS H. PITTS, VICE-PRESIDENT
FRANK SMITH, VICE-PRESIDENT
VIVIAN W. HENDERSON, CHAIRMAN, EXECUTIVE COMMITTEE
JOSEPH HAAS, COUNSEL
PAUL ANTHONY, EXECUTIVE DIRECTOR

Southern Regional Council, Inc.
52 FAIRLIE STREET, N. W. ATLANTA, GEORGIA 30303
522-8764

A Council to affirm the ideals and practices of equal opportunity for all people in the South

MEMORANDUM

TO: Robert W. Glover
FROM: Gwendolyn Sapp, Secretary, Resources Development Center
DATE: October 26, 1971
RE: INFORMATION REQUEST

After some research I have found one copy of a publication compiled under the auspices of the Council which related to Atlanta Schools. It is entitled "Desegregation of Atlanta Schools--A Review of Legal and Community Action Events 1942 to Present (1966)." This was a joint effort of Vernon Jordan and Marvin Wall. This report contains 63 pages.

The second publication was "Student Achievement in Atlanta Public Schools." This report was prepared under the auspices of Better Schools-Atlanta. This report is in excess of 50 pages.

I am enclosing the contents sheets from each of these publications. I hope from these sheets you will be able to decide which publication will prove to be most beneficial. Our xerox rate is five cents per copy.

If you will inform me as to which publication you would prefer, I will get it in the mail as soon as possible.

INDIANA STATE UNIVERSITY TERRE HAUTE, INDIANA 47809

DEPARTMENT OF SOCIOLOGY, CRIMINOLOGY AND SOCIAL WORK

December 15th, 1971

Dr. Paul Anthony
SOUTHERN REGIONAL COUNCIL
5 Forsyth Street, N.W.
Atlanta, Georgia 30318

Dear Dr. Anthony:

A graduate student under my supervision, Fred Lintner, is parparing a proposal to study racial discrimination in the parole process. Some time ago I understand that you published a report in the area of discrimination in sentencing and paroling. It would be appreciated if you would send us any publications with data in this area you feel would be helpful to us.

Thank you for your assistance in this request.

Respectfully,

R. Culbertson

Robert G. Culbertson, Assistant Professor
INSTITUTE OF CRIMINOLOGY

Paul Bermanzohn
4505 Ryan Street
Durham, N.C. 27704

Jan. 18, 1972

Dr Eva Galambos
Southern Regional Council
5 Forsyth Street
Atlanta, Ga. 30303

Dear Dr. Galambos,

I am working with a group that will be interested in analyzing the local property tax structure in Durham. This will be part of a project dealing with Durham's as-yet-unconstructed County Hospital. The Hospital will be paid for by a property tax assessment.

We have been told that a pamphlet entitled "Tax Structure of Southern States: An Analysis" might be of great help to us. Would you be so kind to send us a copy of this pamphlet to the above address. It would appreciated if we could receive this fairly soon as the Hospital issue will be coming to a head in the near future and we would like to have as much of our work done in advance as is possible.

Thanking you in advance.

Sincerely,

Paul Bermanzohn

Paul Bermanzohn

P.S. I believe this to be publication NO. 1.

Please send 2 copies of Tax Structure of Southern States
S.R.C.

Current issue of New South and South Today
NEW SOUTH, Summer, 1969, "A Little More Memphis," "Strike at Charleston."
NEW SOUTH, Summer, 1968, "
NEW SOTTH, 1969, "Standing Up to America,", "One Poor White."
NEW SOUTH, 1967, "Sorrow Song in White and Black"
NEW SOUTH, Fall, 1970
INDEX TO SOUTH TODAY

March 15, 1972

Mr. Billy Hicks
Associate Professor
Mississippi College
Clinton, Mississippi

Dear Mr. Hicks:

Mr. Via has received your request for a copy of Dissent magazine and is pleased to learn of your interest. However, the Southern Regional Council is not a distributor for the magazine. A copy of the article may be had from the publishers:

DISSENT
ATTENTION: Mr. Stanley Plastrik
509 Fifth Avenue
New York, New York 10017
MU7-0890

We are returning your check and letter. I'm quite sure that the article could be in hand within a week from the publishers. I have taken the liberty of sending you a copy of several publications that the Council does publish, New South and South Today, which from time to time carry articles on labor or labor related subjects.

Sincerely,

Gwendolyn M. Sapp

Gwendolyn M. Sapp, Secretary
Labor Program

MISSISSIPPI COLLEGE CLINTON, MISSISSIPPI
FOUNDED IN 1826

DEPARTMENT OF HISTORY & POLITICAL SCIENCE

March 13, 1972

Emory F. Via, Director
Labor Program
Southern Regional Council, Inc.
5 Forsyth Street, N.W.
Atlanta, Georgia 30303

Dear Mr. Via:

Please send me a copy of the special issue of Dissent magazine, The World of the Blue Collar Worker. Enclosed you will find my check for $1.50 to cover the cost.

Sincerely,

Billy Hicks

Billy Hicks
Associate Professor

mlw

August 2, 1972

Mr. Louis Burke
P.O. Box 882
Georgetown, South Carolina 29440

Dear Mr. Burke:

The Handbook for Community Organization is currently out of print. However, we do recommend a publication by Mr. Si Kahn entitled, How People Get Power: Organizing Oppressed Communities for Action.

This book is available from Mc-Graw Hill Book Company. 330 West 42nd Street, New York 10036.

Sincerely,

Gweddolyn M. Sapp, Secretary
Resources Development Center

gms

Folder

Information requests - 1971

(202) 755 - 4580

Medd - until 5:30

mr.

[CRC @ 7:00]

about 4pm

659-1230
Rev Young's office

Young — MLK

~~525-2350~~

~~577-8393~~ — old office

[Oyrx — Citizens Bank Bldg.
MARC Fellowship]

Res 753-0519

[...]

SCLC → ....
MLK - Village

[Andy Young — Medd ~~Arnold~~

Charles
Voice of America

Friend of
will call back Monday

Call [Maynard Jackson] [15 mins] New South

[Revenue Sharing —
Agnew will be involved]

MEMO FROM THE DESK OF:

Emory F. Via

Maynard

Andy

for

Charles Meld

~~City Hall - 659-4463~~

Matter in Law-operation

522-5766

G.S. file in requests

ISAAC ANDOH
World Press Institute
Macalester College
St. Paul
Minnesota 55101

Material Request: Position of the churches in the South

Check materials & articles re Churches in the South, especially related to race to send this man — D.R., BA, P.G. should be able to make suggestions — just need a few good things to send him — I would like to see them. Thanks, Eug

{Statistical Abstraction}

(USDL)

PRESS RELEASE - Thrusday, February 20, 1969:

EMPLOYMENT SITUATION SURVEYED IN SLUM AREAS OF SIX CITIES

PRESS RELEASE - Friday, October 24, 1969

JOB SITUATION AND EARNINGS VARY WIDELY, SURVEY OF SIX CITY POVERTY AREAS SHOWS

URBAN EMPLOYMENT SURVEY, Report No. 370, October, 1969

EMPLOYMENT SITUATION IN POVERTY AREAS OF SIX CITIES, JULY 1968 - JUNE 1969

given to special High School students

no

THE IMPACT OF HOUSING PATTERNS ON JOB OPPORTUNITIES (An Interim Report of a Study on Where People Live and Where the Jobs Are) -- National Committee Against Discrimination in Housing

INSTITUTE OF INDUSTRIAL RELATIONS (The Negro and the American Economy) University of Calif., 1969

THE NEGRO AND DISCRIMINATION IN EMPLOYMENT by Dawn Wachtel Institute of Labor and Industrial Relations, Univ. of Michigan and ~~Unxx~~ Wayne State Univ.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

WASHINGTON, D.C. 20575

ANNOUNCING

ACIR INTERNSHIPS IN INTERGOVERNMENTAL RELATIONS 1971-72

The Advisory Commission on Intergovernmental Relations announces its internship program in intergovernmental relations for the 1971-72 fiscal year. The program provides internship appointments of up to one year for a limited number of young people. It offers a unique opportunity for them to participate actively in the work of the Commission and to acquire first-hand familiarity with the field of intergovernmental relations, an increasingly significant and complex dimension of American federalism.

The Advisory Commission on Intergovernmental Relations was established by Federal law in 1959. It is a permanent, 26-member bipartisan body charged with giving continuing study to relationships among the local, State and National levels of government, analyzing emerging intergovernmental problems and devising ways of easing tensions and resolving conflicts. The Commission represents the executive and legislative branches of all three levels of government; its membership includes nine members who represent the National Government (three from each House of Congress, and three from the Executive Branch); 14 members who are elected officials representing State and local governments (four Governors, three State legislators, four mayors, and three county officials); and three members representing the public at large.

The Commission's staff conducts the research that serves as a basis for the Commission's findings and policy recommendations, translates Commission proposals for action into draft legislation or other appropriate form for implementation at the Federal, State and local levels and serves as a clearinghouse and source of authoritative information on intergovernmental matters.

GENERAL INFORMATION

Number and duration of internship appointments. As many as three applicants may be offered internship appointments for part or all of the 1971-72 fiscal period.

Work assignemnts. Each intern selected will be assigned to one of the three Commission staff sections (Government Structure and Function, Taxation and Finance, or Program Implementation) and will work on one or more research or implementation projects during the period of his appointment. The interns may attend staff meetings and Commission meetings, as well as conferences and other meetings that the Commission convenes from time to time. Interns also will have an opportunity to become familiar with the major public interest groups that maintain Washington offices – including the National Governors Conference, the Council of State Governments, the National League of Cities, the U. S. Conference of Mayors, the National Association of Counties, and the International City Management Association – and to observe National meetings that these organizations hold in Washington.

Compensation. Junior professional level interns are eligible for compensation at the annual rate for GS-9 Step 1 (presently $10,470). They are entitled to annual and sick leave accumulation at the rate of approximately one day per month and are eligible for government employee life and health insurance. Moving expenses cannot be paid.

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BASIC REQUIREMENTS

Citizenship. Only citizens of the United States will be considered for appointment.

Education. To qualify, an applicant must have at least a baccalaureate degree from an accredited college or university.

Age. Preference will be given to candidates under 30 years of age.

Field of interest. In the selection of interns consideration will be given to the applicant's special field of interest, his demonstrated capacity and his career goals. Special preference will be given to applicants whose backgrounds and interests indicate that they can make a contribution to the Commission's current and prospective research and implementation programs. The Commission's Twelfth Annual Report which outlines the Commission's present activities and areas of interest are available in Federal depository and other libraries. Copies of the report are available to prospective applicants upon request.

APPLICATION PROCEDURE

Persons interested in applying for internship appointments should send letters of application and detailed resumes to:

ACIR Internship Program
Advisory Commission
on Intergovernmental Relations
726 Jackson Place, N. W.
Washington, D. C. 20575

In his letter of application, the candidate should outline his general and specific areas of professional interest and his long range public service career goals.

Applications for appointment at the beginning of the 1971-72 fiscal year (July 1, 1971) must be received no later than May 1, 1971. Applications received after that date will be considered for subsequent internship vacancies.

After initial screening a limited number of applicants will be invited to come to Washington at Commission expense for personal interviews.

GSA DC 71-11284

file: Job Opportunities

HOW TO PREPARE A RÉSUMÉ

A résumé is one of the most important tools in jobhunting. It is the brief, factual, written record of who you are and what you have done. It tells the prospective employer what he needs to know about your education and experience and helps you during an interview to recall dates and other information which may suddenly vanish from memory in a face-to-face interview. Try to condense this summary to no more than two pages.

Your résumé may be used in several ways: to enclose with a letter of application; to take to an employment office when you apply in person for a job; to take, or send in advance, to an employer when you go for an interview; to leave on file at the personnel office in the firm you would like to work for where now there is no opening suitable for you. Therefore a number of copies will be needed. It is not good form to send carbon copies of a résumé. Copies reproduced by Mimeograph, Multigraph, offset, or Xerox are perfectly acceptable. If you decide to actively seek more than one type of job, you should make a résumé for each, tailored for the distinct qualifications required by the individual job. Résumés are of two types: the general and the functional.

The General Résumé

The most commonly used form, especially for those with previous paid work experience and for submitting to employment agencies, is the "general résumé." The usual outline is as follows:

1. In upper left corner list your name, address, and telephone number.
2. In upper right side indicate the type of job you desire.
3. Then under the heading WORK EXPERIENCE list your last three or four jobs in reverse order, beginning with your last job. State name and address of the company, dates of employment, name and title of your supervisor, and the

PAGINATION INCORRECT

Wall Street Journal
Tuesday
June 30, 1964
Page 1

How President Uses A Family Foundation To Donate to Charity

* * *

Johnsons' Fund Gives to Health Groups, Negro College Drive, Church; Assets Hit $317,330

BY LOUIS M. KOHLMEIER
Staff Reporter of THE WALL STREET JOURNAL

JOHNSON CITY, Texas—Eight years ago a local man and his wife started a charitable foundation here with a contribution of $100. At the latest public report the value of the foundation's assets had climbed to $317,330.

It's not this growth, however, that gives the foundation its distinction. Rather, it's the identity of the founders. For they are the President of the United States and his wife.

The foundation was originally called the Lyndon B. Johnson Foundation. Its name was changed to the Johnson City Foundation in 1961, after Mr. Johnson became Vice President. In its first full year—the fiscal year ended June 30, 1957—the foundation gave away $2,945. The foundation's most generous year was fiscal 1961, when it dispensed $17,712. In the 1963 fiscal year its gifts totaled $7,821. Beneficiaries have ranged from St. David's Episcopal Church in Austin and the American Cancer Society to educational television and the United Negro College Fund.

Responding to Requests

Only limited information is available about the Johnsons' philanthropic activities, and it's not known whether all the family's contributions are channeled through the foundation. It seems likely, however, that the foundation here was set up in part at least to provide a convenient means for the Johnsons to respond to the many requests for donations they receive. Similar motives have impelled many other prominent, wealthy families to establish foundations. The files of the Foundation Library Center, an independent agency in New York City that gathers information on foundations, now list about 15,000 foundations; new ones are being formed at a rate of well over 1,000 a year.

Nothing is quite the same, however, when the President is involved. The Johnson foundation gives rise to the delicate situation in which a Federal agency has jurisdiction over a President's private interests. A foundation's tax-exempt status is always subject to scrutiny and possible revocation by the Internal Revenue Service. The Johnson foundation was granted its tax-exemption in 1957, when Mr. Johnson was Senate Majority Leader.

The IRS isn't the only Federal agency that finds itself in a position to affect the Johnsons' personal affairs. The Federal Communications Commission has had to make a series of decisions involving Mrs. Johnson's television company, Texas Broadcasting Corp.—known as the LBJ Co. from 1956 until after Mr. Johnson entered the White House. The TV enterprise has enabled the Johnsons to build a personal fortune estimated to total anywhere from $7 million to $20 million.

Rep. Patman's View

The Johnsons' foundation appears to put them at odds with a well-known fellow Texas Democrat, Rep. Wright Patman. For years Rep. Patman has been conducting a broad assault on foundations, charging that in many cases they are used "as business devices and for tax avoidance" and that many foundations are accumulating income rather than using their funds to carry out their stated philanthropic purposes. Mr. Patman has gone so far as to urge that the Government declare a moratorium on the granting of tax exemptions for foundations until the "mess" is "cleaned up."

A Patman report which called for reforms studied 534 foundations from 1951 through 1960, but not the Lyndon B. Johnson Foundation. Mr. Patman will issue "several" more critical reports and then open public hearings on foundations, possibly before the end of the year, according to his aides. A searching look at foundations also is in the offing in the Senate. The Senate Finance Committee has asked Treasury Secretary Dillon for his views on foundations before the end of the year.

The indenture setting up the Johnson foundation pledged it to "promote the well-being of mankind" while safely skirting any "propaganda" activities and refraining from participation in "any political campaign."

Says lawyer A. W. Moursund, the President's long-time partner in Texas business dealings and now a trustee of the foundation as well as one of two trustees for Mrs. Johnson's Texas Broadcasting Co. stock: "We've got a little foundation here we're proud of. It looks to me like a laudable little enterprise."

The original board of the foundation consisted of Mr. and Mrs. Johnson, Mr. Moursund, J. C. Kellam, president of the broadcasting company, and Donald Thomas, one of Mr. Johnson's Austin attorneys who is also a director of Texas Broadcasting. The Johnsons have since been replaced by M. C. Winters, a Johnson City contractor, and R. E. Stubbs, a Johnson City banker.

Unless foundations choose to disclose de-

Please Turn to Page 11, Column 2

How the President Uses a Family Foundation to Donate to Charity

(1)

Wall Street Journal
Tuesday
June 30, 1964
Page 1

Continued From First Page

tails of their operations, the data available on their fiscal affairs is limited largely to portions of their yearly tax returns that are matters of public record. These public portions give a foundation's total assets, including a breakdown showing the amounts of money in general categories of holdings, such as stocks, bonds and cash. They also disclose total contributions and total income received during the year, plus a list of benefactions.

But the public sections of the returns do not reveal the sources of contributions, nor do they give specifics on investments, except in cases where a foundation holds more than 10% of the stock in a corporation. Some information about the Johnson foundation's contributors and investments can be turned up elsewhere, however.

The first contributions to the foundation, in addition to the $100 given by Lyndon and Lady Bird, came from close business and political associates. Mr. Moursund gave $25, as did Mr. Kellam and Walter Jenkins, who for years served simultaneously as Mr. Johnson's administrative aide and corporate secretary of the television station.

Big Contributors

Not surprisingly, the Johnsons appear to have been the heaviest contributors in the subsequent rapid build-up of their foundation. When it sought tax-exempt status from the IRS in 1957, the application showed that all but $225 of the approximately $40,000 contributed to the fund in its first 15 months came from the LBJ Co. Almost all the $86,618 contributed to the foundation in fiscal 1963 is known to have come from the Johnsons and the family television station.

A detailed picture of the way the Johnson foundation invests its money can't be obtained. Despite his pride in the "laudable little enterprise" which he serves as a trustee, Mr. Moursund says he has no intention of revealing just what its holdings are. For any information on the foundation beyond what is in the public records, he refers inquirers to Abe Fortas, the Washington lawyer who has emerged as Mr. Johnson's chief spokesman concerning the Johnson family's business interests.

Mr. Fortas does give out, in response to specific questions, certain limited information concerning the foundation's activities. From Mr. Fortas and information on file elsewhere, the following details of the foundation's operations can be gleaned:

The Johnson City Foundation owned stock in four Austin banks as of last Dec. 31, according to bank records filed at the Travis County Courthouse in Austin. Mr. Fortas says the same number of shares is still held in the banks today. Their market value: About $137,000.

Investing in a Chili Canner

Another investment on the public record dates back to 1956, when the foundation put $8,000 into 100 shares of the Austex Chili Co. of Austin, a maker of canned chili, tamales and other Mexican dishes. The firm has since been merged into Frito-Lay Co. of Dallas. The foundation has since increased its stake in Frito-Lay, until today its stock in the company is valued at $59,700, according to Mr. Fortas.

In general, the Johnson foundation appears to be an aggressive investor. At the close of fiscal 1963, its tax return shows, the foundation had only $3,459 of its $317,330 of assets in cash. During the year it had increased its investment in stocks from about $130,000 to $191,923. Its 1963 IRS return also showed "royalty interest" investments of $95,617; it had first ventured into this field three years earlier with a cautious $11,000 investment.

Mr. Fortas says the royalty interest item covered oil royalties the foundation holds in three counties near Houston—Waller, Brazoria and Matagorda.

The foundation also reported to the IRS that last year it took in about $1,000 in interest from about $26,000 it had out in "notes and accounts receivable." Mr. Fortas says the bulk of the money loaned by the foundation is represented "by small loans to students."

The Johnson City Foundation gives money to a wide variety of recipients. Last year its major contribution was $5,000 to the Southwest Texas Educational Television Council. Among 19 other gifts last year: $25 to the American Cancer Society; $50 to the American Heart Association; $600 to St. David's Episcopal Church; $100 to the United Negro College Fund; $75 to the Austin Symphony Orchestra; and $100 to the National Conference of Christians and Jews.

In all, the foundation gave away $7,821 last year. This was about 70% of the fund's earned income in dividends, interest and royalties. A charitable foundation does not have to distribute all its income. It may retain some of it and thus increase capital. Tax law only prohibits "unreasonable" accumulation of income. A foundation may also grow, of course, through contributions which add to its capital.

Mr. Moursund has a ready explanation of why the foundation has been hanging on to some of its income and all its contributions. "We've tried to build the foundation up so it's not just a pipeline from the donor to those receiving help," he says. "We want it to amount to something. To do that, it's got to grow to the point where it will have substantial income. Then it can do substantial good."

Lyndon's Pals

His Hometown Coterie Wheels and Deals in Land and Broadcasting

They Buy Into Austin Banks, Trade Property With LBJ And Play Some Politics Too

Direct Line to the White House

JOHNSON CITY, Texas—His visitors had almost given up hope of seeing A. W. Moursund, "The Judge."

But then a bronze-tinted Lincoln blazed into this hamlet at high speed. Its driver pulled to a stop, strode into his office in the trim, one-story tan brick building. His dignity of figure and face, accentuated by rimless spectacles, was soon relieved by some salty language brushing aside curiosity about his career. Nobody could be interested, Judge Moursund insisted. "I was born and raised here . . . I'm just a country lawyer."

In a law office of the nearest city, Austin, the strangers heard similar words from a stocky fellow in slacks and a blue jacket. Said Don Thomas: "I'm just a poor boy, born and raised in East Texas, trying to make an honest buck."

In Austin they listened to a third lawyer, Ed Clark. He has been hailed by the East Texas Chamber of Commerce for wrapping "his 200-pound-plus frame in loud checked suits, coats that would put Joseph's to shame, and rainbow-hued shirts." He once moved a local newspaper to marvel that "his piny woods drawl under duress is a cross between a caterwaul and Rochester practicing one of his more troublesome scenes." But Mr. Clark, too, spoke to the outlanders with humility: "Spell my name right—I need the business."

Such men are bound to be interesting, as authentic human products of the Texas hill country—this semi-arid, undulating terrain sprinkled with mesquite, scrub oak and occasional cactus, which stretches out to the west of the state capital. Though lots of it must look much as it did in 1864, it catches the eye today because this is Lyndon's land. Here is the original base of President Johnson's vast political power. Here is the soil which nurtured the Johnson family's multi-million-dollar economic interests. By now thousands of acres, literally and legally, are Lyndon's land.

Wall Street Journal reporters Louis M. Kohlmeier, Ray Shaw and Ed Cony collaborated in the reporting for this article.

Still, these three—Ed, Don and "The Judge"—are even more interesting because they are not quite what they say they are.

Edward Clark does not need to scratch for business; he heads the thriving law firm of Clark, Thomas, Harris, Denius and Winters, patronized by giant national corporations. One testament to his success is his status as board chairman of Capital National Bank, a proud Austin institution in which he holds more than $1 million of stock.

Donald Thomas is not a poor boy; he is a law partner of Mr. Clark and among other things he put up $150,000 five years ago to take over Brazos-Tenth Street Corp. Though the rocketing rise of this Austin enterprise has centered on ranch land and urban real estate, Brazos-Tenth has likewise picked up more than $1 million of bank stock, scattered in half a dozen institutions of three towns.

A Phone to the White House

Judge Moursund is not "just" a country lawyer; he is land baron, insurance man, banker—and currently reigns as regent over a major broadcasting empire. More than that, he is the only country lawyer in the nation who is linked by private telephone circuit to the LBJ Ranch and the White House. He can pick up his phone and almost instantaneously talk with the President.

Which brings up the most interesting point of all. Don, Ed and "The Judge" are not merely poor boys who've become well-heeled Texans—there are plenty of those—but are in a special inner circle orbiting around Lyndon Johnson.

Associates of any President can be intriguing, for they offer clues to the kind of man the Chief Executive may be. Yet except for John Connally, the Governor of Texas who was wounded by the Kennedy assassin, the men who've spun in this Johnsonian circle are not well known nationally—maybe simply because the nation has not been paying proper attention. Any effort to paint the group portrait they deserve should perhaps begin by sketching a few generalizations:

This coterie operates with an intimacy which more than makes up for its informality. Membership requires long-rooted Johnsonian friendship but is open only to friends of razor-sharp competence. These men agree, as Ed Clark puts it, that Lyndon "is always trying to do more for everybody than they can do for him," yet they compete in doing things for Lyndon and for each other. They differ from the President's Washington allies in that business deals build their bonds; nevertheless their own magnetic motion creates political as well as economic power.

The Presidential Personality

Students of the Presidential personality may even see a certain significance in the mystery or confusion which surrounds certain aspects of this inner circle's operations. At one moment a circle member may appear as a Johnson partner, or serve as a Johnson agent. At another time he may be operating independently, or be on the opposing side of a transaction which involves Johnson business interests, or even appear as an active Johnson competitor. Often it is not obvious which role is being played. In detail, the clues are sometimes as murky or downright misleading as those of a good detective yarn.

For example, records in the Llano County courthouse seem to show plainly that Donald Thomas bought the 2,785-acre Nicholson ranch last year for $373,000, and still holds it. But the 44-year-old Mr. Thomas himself declines to define this big tract as a definite part of his own current possessions. He limits himself to a single enigmatic comment: "You're get-

Please Turn to Page 12, Column 1

Wall Street Journal
Tuesday
August 11, 1964
Page 1
E.V.
Johnson

(V)

Wall Street Journal
Tuesday
August 11, 1964
Page 1

EV

Johnson

Lyndon's Pals: They Wheel and Deal In Real Estate and Broadcasting

Continued From First Page

ting into LBJ Co. business there."

The LBJ Co., of course, is the Johnson family's TV and radio concern, which changed its name to Texas Broadcasting Corp. when Lyndon became President and Lady Bird put her controlling stock under the trusteeship of Judge Moursund.

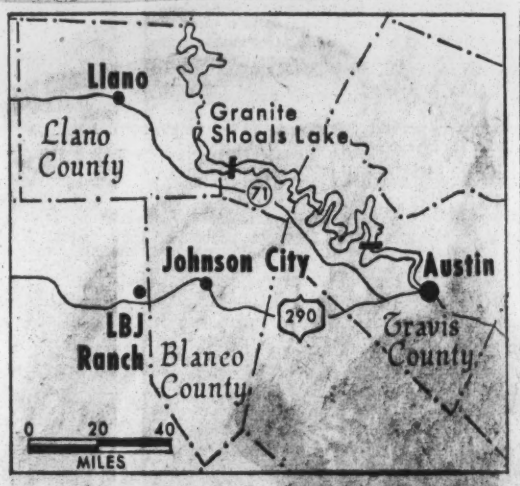
The studio, offices and executive suites of the Johnson broadcasting company occupy fully a windowless modern edifice at the corner of Tenth and Brazos Streets in downtown Austin. The popular impression that this belongs to the Johnsons is seemingly supported by friends' testimony that Lady Bird personally chose its buff and turquoise bricks and designed its penthouse and roof garden. Mrs. Johnson herself is on record as calling this "a building of our own," contrasting it with the "rented" quarters her broadcasting firm occupied prior to 1960. Yet legal files show the property is owned by the burgeoning Brazos-Tenth Street Corp., whose name comes from the address. And Don Thomas declares the Johnsons own not a single share of Brazos-Tenth stock.

"A lot of people here think I'm just a front man for Lyndon Johnson—and I'm not," Mr. Thomas has complained. "There are no facts to suggest the company (Brazos-Tenth) is owned by anyone but me; I'd make that statement on a soapbox."

Thus by his own account Mr. Thomas is operating in this instance as the hard-headed landlord dealing at arms-length with some tenants named Johnson. When Mr. Thomas enters the building, he need not always come in this chilly role, however, for he also has two warm positions within the Johnson broadcasting firm, as its corporate secretary and as a director. And besides that, he is a trustee of the LBJ Co. Profit-Sharing and Incentive Plan, which rewards loyal executives and employes of the Johnson broadcasting concern. And he's a trustee of the Johnson's charitable foundation. And over the years he has been both a friend and a personal attorney for Lyndon. So assuredly he is not just a front man for the Johnsons. He has got them surrounded from every direction.

Declaration of Independence

Though Mr. Thomas' Brazos-Tenth firm can assert its independence of both Mr. Johnson and the Johnson broadcasting enterprise, it often gets associated with them, sometimes in deals of dizzying velocity. Consider what happened on Feb. 1, 1962. Courthouse records show on that date the LBJ Co. sold a parcel of Austin real estate, with the signature of Donald Thomas appearing on the sales document as its corporate secretary. The purchaser was Brazos-Tenth, so of course Mr. Thomas was even more firmly established on the buying side of this transaction. Then, on the very same day, Brazos-Tenth resold the property to a Thomas Friend — Lyndon B. Johnson.



At the same time, records show, Brazos-Tenth bought more than 40 other lots and three tracts, in Travis and Llano Counties, from the LBJ Co. and before the day was out sold most of this real estate to the then Vice President. What belonged to Mrs. Johnson's company at daybreak was Mr. Johnson's by nightfall, at undisclosed prices, but only after the Thomas company served as middleman. Mr. Thomas declines to discuss the reasons for all this, saying merely: "As far as I'm concerned, they were perfectly legitimate deals. My affairs are my own business."

A New York real estate man does offer a possible explanation as to why a woman would sell her husband property through a third person: "There's a tax reason basically. If Mrs. Jones bought the property at $1,000 a lot, six months or more ago, and it is now worth $2,000 a lot, she may want to sell it to get a capital gains. If she should sell it directly to her husband, the tax people wouldn't allow her to take the lower capital gains tax on it, because it would not be an arm's length transaction. But if you can get a third party involved, then you get two legitimate deals in the eyes of the tax people. In the trade we call it a 'conduit agency.' "

Keeping It in the Family

Why would a woman choose to sell at a profit to her husband instead of to an outsider? The New York real estate man says this happens when the lady wants to realize an immediate profit, but at the same time figures the lot will appreciate further in value as time goes by. So she sells it to her husband, takes the immediate profit and still keeps it in the family for possible future profits.

A closer look at another one of the lots involved in the set of sales on Feb. 1, 1962 shows how circular Mr. Thomas' business can be.

Donald Thomas in 1958 sold a residential lot in Travis County (which includes Austin) to the LBJ Co. In February of 1962 the triple-play carried it, of course, from the LBJ Co. to Brazos-Tenth to Lyndon. Then somehow it quickly returned to LBJ Co. hands, for the next recorded document shows the broadcasting company selling it on June 1, 1962, to Mary Margaret Wiley, who was Mr. Johnson's personable personal secretary and who later became Mrs. Jack Valenti, wife of the White House aide. Finally, in February of this year (1964), the Valentis sold the lot—to Donald Thomas, who had owned it back in 1958 when the circle began.

(3) Wall Street Journal Tuesday August 11, 1964 Page 1
LBJ Johnson

"I'm a person with speculative investments," observes Don Thomas, sitting in his elegant office with bright red wall-to-wall carpeting, 12 stories above the streets of Austin. "The only way a poor boy can make it is to go for broke." In the last few months his Brazos-Tenth concern has acquired 25 pieces of property in the Austin area—two from Lyndon and 23 from the Johnson broadcasting company.

"Look at My Liabilities"

Ask Mr. Thomas about the rapid rise of his firm and he replies: "You can't just look at the left-hand side of the balance sheet; you've got to look at my liabilities, too." Where has the borrowed money come from? Some of it from banks in which members of the Johnson inner circle have an interest and a voice, by his own account. But Mr. Thomas is not disclosing all his sources of financial strength.

Another major investor and trader in land is Judge Moursund. (His title dates back to a term on the Blanco County bench in the '50s.) In 1961, for instance, he put a quarter-million dollars into purchase of a half interest in a 4,561-acre ranch bordering Granite Shoals Lake. The urban land boom of Austin in recent years has extended up into this sparsely settled "Lake Country" as water backed up behind Federally-built dams intended to tame floods and produce hydroelectric power. The man chiefly responsible for the Government dam-building, by his own boast and the acknowledgement of his biographers, was Congressman Lyndon Johnson.

When Judge Moursund bought into this particular ranch, the LBJ Co. picked up the other 50% interest. Within a week, though, he had a new partner: Lyndon Johnson. Mr. Moursund explains this was the intention from the beginning, but the then Vice President was "over in Laos or one of those places" at the time the sale was closed so the LBJ Co. stepped in temporarily just as a convenience. It is from the shores of this ranch that the President now goes boating on his new cruiser.

Lyndon and the Judge

The partnership principle has since been applied by Lyndon and Judge Moursund to other properties. In 1962 they bought 45 lots in a Llano County subdivision called Lakewood Forest. But in addition, since Mr. Johnson entered the White House, Judge Moursund has managed the bulk of Lyndon's land as trustee. Just how much of what sort of acreage the President owns has been somewhat obscured. Mr. Johnson himself told his April 16 press conference that "I own a little Ranch land, something in excess of 2,000 acres."

Donald Thomas says Mr. Johnson owns about 5,000 acres. Most of this can be described as "ranch land," he agrees, but 27 acres purchased back in the 'thirties for about $300 per acre now are worth about $20,000 per acre, for they stand in an upper-crust Austin residential section.

Serving also as a trustee of broadcasting company stock owned by Lady Bird, Lynda Bird and Luci Baines Johnson, and as a trustee of the Johnson charitable foundation, the 45-year-old Mr. Moursund unquestionably devotes much of his vigor to representing the interests of the family who so often enjoy his company. (Says he: "It's not at all tough for me to do what I'm supposed to do—which is to see to it the Johnsons don't know what is going on.")

No one has doubted, either, that Mr. Moursund represented the President when he served as temporary chairman of the recent Democratic state convention in Houston, nor that he will go down the line for Johnsonian desires as a delegate to the national convention in Atlantic City.

Nevertheless Judge Moursund is as heated as Don Thomas in declaring that certain business operations are entirely independent of any Johnson interest—and never mind confusing "clues" to the contrary. Witness the case of the Moore State Bank.

"One Fine Day"

One fine spring day last year President Johnson and Judge Moursund dropped into Llano and visited the offices of this bank, just off the town square. A couple of months later control of the institution changed hands, and now prominent local folk like to suggest the President of the U.S. has a stake in the town's only bank. Even Tom Moore, who stayed on as bank president, just says vaguely: "I don't know. There's no stock in his name."

A check at the courthouse confirms that no Johnson shows as a stockholder. Control was purchased by Mr. Moursund, his mother and his law partner, and by Donald Thomas individually and through Brazos-Tenth. Altogether, they put up more than $800,000. The five-man board of directors is now dominated by Mr. Thomas, Mr. Moursund and the Judge's law partner, Thomas Ferguson, former Texas insurance commissioner.

Mr. Moursund stoutly insists that Lyndon Johnson has no concealed interest in the bank. Which is perhaps just as well, if the Chief Executive values his popularity among some minority stockholders of the institution. Their complaint is that dividends which had been paid twice yearly for more than three decades were abruptly cut off when the new group took control, with the explanation that the bank should build up its capital—yet at the same time the new directors decided the bank could afford to pay Judge Moursund a $1,000 monthly retainer fee as attorney.

The new group offered to buy out any minority stockholders displeased with the cut-off in dividends, which had been running $10 per share per year. "But they only offered to give us book value for our stock," laments one. In contrast, the $600 a share which had been paid for the controlling stock was almost twice book value.

"If any stockholders are unhappy, I don't know about it," comments Mr. Moursund. "They have no cause to be unhappy." As for his retainer, he says: "I make a living practicing law, and I give full value for the dollar." Has he financed any of his other ventures by borrowing from the bank? His reply: "That's no one's business but my own."

Growing Appetite

Many businessmen in and around Austin are aware of the Johnson circle's growing appetite for bank stocks—and some even seem a little nervous about it. Lyndon's associates own or manage stock in all eight of Austin's banks. Here in Johnson City, at about the time Lyndon Johnson was being inaugurated as Vice President, Brazos-Tenth acquired four-fifths of the stock of the town's only bank, Citizens State (resources: about $3 million). On the board sit Mr. Thomas, Mr. Moursund and another key member of the inner circle, Jesse Kellam, president of the Johnson broadcasting company.

Jesse is publicity-shy nowadays, but as a youth at Southwest Texas State College he was the extrovert leader of the White Stars, mostly athletes like himself, who controlled campus politics. A schoolmate, Lyndon Johnson, organized the Black Stars and tried to take over; when the groups made peace the two became buddies.

Jesse later helped Lyndon win a seat in Congress, whereupon he succeeded Mr. Johnson as state director of the National Youth Administration. During later years he has been top resident executive of the Johnson broadcasting enterprises. Though his personal investments in four Austin banks are modest, this year he became a director of one of the big three, Capital National Bank.

But the big man at Capital National (resources: $122 million) is its board chairman, 58-year-old Ed Clark. A former Texas secretary of state, Mr. Clark has loyally devoted his legal talents to defending the interests of friend Lyndon Johnson. When Congressman Johnson sought a Senate seat in 1948 it looked as if he had lost narrowly to Gov. Coke Stevenson; then discovery of 202 "overlooked" ballots in Jim Wells County put him over the top by 87 votes. It was Ed Clark who fought the ensuing bitter court battle over the validity of this victory.

Again, in 1960, it was Mr. Clark who went to court to obtain for Lyndon the right to run simultaneously for the Senate and the Vice Presidency. He has also represented the Johnson broadcasting company. He spent years as an efficient lobbyist for utility, insurance and other interests in the state capital, but remarks that more recently he has lacked time for lobbying because of his other activities, "particularly banking."

Mr. Clark's Bank Stock

As of last December 31, Mr. Clark personally owned 14,405 shares of Capital National stock, worth about $1.1 million at current prices. In addition, his law firm, which of course has other members, including Mr. Thomas, was listed as owner of 4,348 shares, currently worth some $335,000. According to experts of the American Bar Association it is unusual for law firms to invest substantially in bank stocks, but perfectly legitimate. Mr. Thomas' Brazos-Tenth shows up as another stockholder of this bank, as it does of three others in Austin.

At another of the Big Three banks, American National (resources: $117 million), Judge Moursund appeared on the board early this year. Among its stockholders are two peripheral Johnson institutions. One is the LBJ Co. Profit-Sharing Plan, of which Messrs. Thomas and Kellam are trustees; it holds American National stock worth about $67,000, and a few shares also in one other Austin bank. The other is the Johnson philanthropic foundation, whose trustees are the Messrs. Thomas, Kellam and Moursund plus two other Johnson friends, Melvin Winters and R. E. Stubbs Jr.—all of whom happen to be directors of the Citizens State Bank which Brazos-Tenth took over in Johnson City. The Johnson foundation also has holdings in three other Austin banks; its total of bank stock comes to roughly $137,000.

The two satellite Johnson institutions, it should be noted, are gaining a measure of financial power not only by buying bank stock but by making direct loans or investments. The 1956 trust agreement setting up the profit-sharing plan spelled out this capacity, including "expressly the power to invest in producing or non-producing oil, gas or other mineral properties."

(4)

Wall Street Journal
Tuesday August 11, 1964
Page 1
E. L. Johnson

The charitable foundation established in the same year has been accumulating far more funds than it gives away; in fiscal '63, for instance, its philanthropic distributions came to less than $8,000 while its income from investments totaled $11,000 and its assets increased by some $89,000. One of the few known investments of the foundation was an early purchase of stock in Austex Chili Co., an Austin food canner. Presumably one assurance of the soundness of this investment was the presence of Ed Clark on the Austex board; this concern has since been merged into Frito-Lay, Inc., of Dallas.

A Certain Uneasiness

Some of the area's businessmen feel a certain uneasiness about the growing financial strength of the Johnson circle; a few have admitted privately that they were opening accounts in banks where the Johnson group's influence has been least noticeable, to assure they'll retain ready access to borrowing sources. "Lyndon has a lot of friends here, but he has made a lot of enemies, too," comments a prominent Austin businessman.

Actually, of course, the circle seems far from having a stranglehold on area lending power, even if it should conceivably wish one. Bank investments do perhaps bolster the group's own borrowing capacity. Mr. Thomas, for instance, remarks that he has obtained financing from both Capital National and American National. Mr. Moursund emphasizes that his own bank-stock purchases have been with the simple idea that they were sound investments.

Until this year, the biggest bank in the area, Austin National (resources: $131 million), had remained entirely outside the circle's orbit. When Brazos-Tenth bought stock recently, it constituted only about a $3,000 toehold—yet was considered perhaps a significant first step. According to one responsible banking source, Mr. Johnson himself—before becoming President—had asked for an opportunity to buy stock in the bank.

The concept that the Johnson circle somehow seeks "monopoly" power may have fed upon the circumstance that the Johnson company has in fact been Austin's solitary television broadcaster. But if one turns attention instead to radio broadcasting it is easy to argue the opposite concept: That the Johnsons have shown astonishing eagerness to foster competition.

It's an old but little known story, so is worth telling, and it can be entitled The Crowded House at 1901 Dillman Street.

The Congressman Buys It

Lyndon bought this corner Dillman Street duplex in Austin's pleasant west-side residential section in 1943, when he was a young Congressman. It was in the same year that Lady Bird bought radio station KTBC. One of Mrs. Johnson's biographers relates that the family lived in the upstairs unit when they were not in Washington, and it was there and in the yard outside that Lady Bird "did much of her radio . . . station work"—making much use of "a telephone attached to a tree."

The Federal Communications Commission knew from its files that this was the address of broadcaster Lady Bird, yet there is no record that the agency was taken aback when in 1945 an application to create another radio station, KVET, arrived listing 1901 Dillman as corporate headquarters. In early filings this was likewise listed as the home address of four men who got the KVET station under way: John Connally, his brother Merrill, Walter Jenkins and Willard Deason.

If the FCC noticed the coincidence at all, it could not have assumed that the Johnsons were trying to obtain a second Austin radio outlet, for it was and is illegal for the owner of an AM station to own even a minority share in a second one in the same town. Mr. Deason confirms the Johnsons never did invest money in KVET; what they did was give "moral support." And that was stretched pretty far. For no fewer than five of the KVET stockholders who created this new station were simultaneously on Mrs. Johnson's payroll at KTBC. Construction of KVET was begun in February and completed in September 1946; Mrs. Johnson, in a routine application for renewal of her license, listed the five among her KTBC station personnel as of March 11, 1946.

A Lady Bird Employe

President of the new outfit was John Connally, who at the same time headed Lady Bird's official list of employes, as "owner's representative" in charge of KTBC "policies on personnel and programming." This is the Mr. Connally, of course, who had been pre-war secretary to Representative Johnson, who was to serve in 1949 as secretary to Senator Johnson, who was to be manager of the Presidential bid of Candidate Johnson in 1960 and who now, as governor of Lyndon's home state, will be co-nominator of Mr. Johnson for the Presidency at the Atlantic City convention. He started out subscribing to half of the new station's stock, for $25,000—all of it borrowed from Capital National Bank, where Ed Clark was a stockholder even then. Mr. Clark, as it happened, became another KVET founder himself.

Another who lived in Lyndon's house and worked as sales representative for Lady Bird's radio station while he set out to give the Johnsons competition was Willard Deason. He had been Lyndon's college room-mate. He started as a stockholder and director of the new station, then at the end of 1948 he quit as Lady Bird's KTBC sales manager to devote full time to KVET as general manager.

That other college chum, Jesse Kellam, served as a KVET director during its crucial first year and as stockholder for two more years, at a time when he was general manager of Lady Bird's competing KTBC.

Two more KVET founders and directors were KTBC employes: Continuity director W. E. Syers and sales representative "Jake" Pickle. The latter now sits in Lyndon's old seat in Congress.

Mr. Jenkins Also Served

Another resident of 1901 Dillman, Walter Jenkins, veteran administrative aide to Lyndon on Capitol Hill and in the White House, was an early stockholder in KVET and in 1949 served briefly as secretary-treasurer; it was not until 1953 that he became Lady Bird's corporate treasurer and director, posts which he relinquished after Mr. Johnson became President.

Among others who helped found or build the radio station which was to compete with the Johnson broadcasting company were: Melvin Winters, the Johnson City contractor who now serves as trustee of the Johnson charitable foundation, and Robert L. Phinney, another old friend, who later secured a position as Austin's postmaster. Nowadays, as Internal Revenue Service Director for the South Texas District, Mr. Phinney is charged with keeping an eagle eye on such matters as the Johnson foundation's tax-exempt status.

As they got going, this group cleared seemingly high hurdles with ease. When they first applied to the FCC to broadcast on the 1300 kilocycle wave length, the agency had already awarded this to a station in San Antonio, 70 miles to the southwest. But rapidly the FCC induced the reluctant rival to accept "voluntarily" another wave length, clearing 1300 for KVET. Then the Civil Aeronautics Administration complained erection of the 210-foot broadcasting tower would "present an undue hazard for the safe operation of aircraft." But two weeks later it changed its mind.

Another Network Outlet

KVET, like Lady Bird's KTBC, had no trouble getting network affiliation, signing up with Mutual. To this day these two remain the only network outlets in Austin, though the city now has seven radio stations.

Lyndon Johnson owned stock in neither his wife's KTBC nor its competitor, KVET, yet there were those who assumed he was interested in the welfare of at least the latter. At any rate, Leonard Marks, the Washington lawyer who for years has handled FCC matters for both stations, took care to mark a carbon for "Lyndon Johnson" when he wrote the agency in 1947 to inquire about FCC approval of the transfer of KVET stock to John Connally, who had begun buying out some of his colleagues.

John Connally may have had grateful memories of 1901 Dillman street. In 1950 he enlarged that property by selling the Senator two adjoining lots, and the tax stamps indicated a price of $500. He had bought them five years earlier, at an indicated cost of $3,000.

In 1955, having launched another career as attorney for Fort Worth oilman Sid Richardson, Mr. Connally gave up his presidency of KVET and sold control to Willard Deason, who now is listed as sole owner.

Those who drop in to visit station president Deason nowadays can hear his cheerful view of competing with the Johnsons and his cozy recollections of how it all came about. They can see two pictures adorning his office. One is a brown-tone photo taken in 1932, of schoolmate Lyndon. The other is a large autographed portrait of the President of the United States.

Wall Street Journal
Thursday
August 20, 1964
Page V

Ev
Johnson

The Johnson Balance Sheet

Detailed Audit to Public Puts 'Capital' at $3,484,098, On Original-Cost Basis; Current Value Is Likely Higher

By LOUIS M. KOHLMEIER
Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON — President Johnson acknowledged that the private wealth his family has acquired during his years in public office will be a campaign issue, by making public what appeared to be an unprecedentedly detailed accounting of assets and liabilities.

But the President's heeding of growing pressure—particularly significant just five days before the Democratic National Convention opens—is hardly likely to make the Johnson multimillions disappear as a GOP electioneering target. The official-looking nine-page financial statement, bound in blue and produced by the national accounting firm of Haskins & Sells, New York, might even have the opposite effect. It confirms the impression that the Johnsons have grown exceedingly prosperous, yet really casts little light on how it all happened. Furthermore, by employing a number of technically acceptable accounting devices, it projects a grossly understated idea of the current dimensions of the Johnson fortune.

The document released by the White House declares the Johnson "capital" to be $3,484,098. But Lady Bird's broadcasting stock, Lyndon's ranchlands and the family's other properties are essentially figured on the basis, of original cost rather than current market value.

"Accepted Accounting Principles"

Depreciation is deducted in calculating property figures, whereas those familiar with the Johnson enterprises declare they have appreciated enormously in value. Haskins & Sells, declaring that the financial statements are "in conformity with generally accepted accounting principles," nevertheless took care to say:

"The amounts . . . are not intended to indicate the values that might be realized if the investments were sold."

To see what a difference this makes, glance at the TV and radio empire that was formerly known as LBJ Co. and currently is called Texas Broadcasting Corp. Industry experts estimate this company's broadcasting holdings alone (not counting extensive real estate investments) would be worth some $7 million on the open market nowadays, which would place the Johnson family's 84% stock interest at nearly $6 million. But the White House document, even when including the real estate, states the family's interest in the company to be $2,445,830.

This is done by starting with the original $24,850 cost of broadcasting stock, required by Lady Bird in the '40s. To that is added more than $3 million in retained corporate earnings. But then the accountants subtract more than $815,000 in capital gains tax which the Johnsons would on this increment if they sold out —though this is of course a tax that hasn't been paid, and isn't likely to be paid soon, since there is no indication that a stock sale is in prospect.

The financial declaration mentions, but assigns zero valuation to, the broadcasting company's 50% stock option in an Austin community TV cable system. Some experts figure this option is likely to be worth $5 million when exercised—but the bookkeeping is defensible because the Johnson company acquired the valuable option without putting up a cent.

Recent Calculation Undercut

By including calculations of potential taxes and by other means, the White House document even managed to undercut a recent statement of the family's financial position issued by Judge A. W. Moursund, the old family friend who has served as trustee for most of the Johnsons' holdings since Lyndon became President. Here is a comparison of his "net worth" declarations for each member of the family with the Haskins & Sells calculations of their "capital":

	Moursund	H&S
Lyndon	under $400,000	$378,081
Lady Bird	slightly over $2,500,000	2,126,081
Lynda Bird	630,000	490,141
Luci Baines	630,000	489,578
Total	about $4,160,000	$3,484,098

What the actual worth of the family holdings would prove to be on the open market can only be estimated, of course. Some intimates back home in Austin calculate it would be in the neighborhood of $20 million.

The Haskins & Sells report deals not at all with the circumstances of the Johnson millions that have made them so much more controversial than the wealth of almost any earlier President. Nearly all of the Johnson wealth was accumulated while Mr. Johnson served as a Congressman, Senator, Vice President and President. The mainstay of the family fortune is the broadcasting company, which has repeatedly benefited from rulings of the Federal Communications Commission—whose seven members must look to the President and the Senate for reappointment, whose chairman serves at the pleasure of the President.

Another area untouched by Haskins & Sells involves real estate—the sometimes furiously swift and deeply mysterious manner in which acreage changed hands among Johnson intimates before landing at least temporarily on Lyndon's balance sheet.

Sen. Goldwater, campaigning for the Republican ticket in 1960, latched onto the most obvious element of the Johnson wealth, the Austin broadcast properties which by FCC edict include the city's only television transmitting station. The issue grew fatter with the Bobby Baker scandal. Bobby, secretary to the Democratic majority when Lyndon was Senate Majority Leader, declined to tell investigating Senators whether he ever urged "certain national advertisers" to buy time on the Johnson TV station.

Musty Courthouse Records

Newsmen who've visited Texas to learn about the Johnson wealth and how it grew have found much information in musty county courthouses—records of the swirling land deals and the like. But there was a lot too that reporters couldn't learn—mainly because some Johnson associates, such as Jesse Kellam, president of the broadcasting company, wouldn't talk at all while others such as Judge Moursund gave out scanty information.

Clearly, President Johnson was able to convince both company head Kellam and trustee Moursund that they should do some talking, through Haskins & Sells.

The accountants' report is addressed "Dear Mr. President." A covering letter begins: "Pursuant to your instructions, issued to us on July 7, 1964, we have made an audit . . ." and it concludes: "During the course of our services we received the utmost cooperation from your family, your trustees, and officials of Texas Broadcasting Corp." (The text of the accountants' report is on page 6.)

Just what prompted Mr. Johnson to ask for it on July 7 isn't clear. It could have been on the advice of Abe Fortas, the Washington lawyer who as the President's personal counsel has been fielding some questions that reporters haven't been able to get answered in Austin. It was Mr. Fortas who approached Haskins & Sells.

Among the nuggets of Johnson wealth data that can be dug out of the Haskins & Sells report are these:

Lady Bird outranked her husband as family breadwinner, at least in the past decade. Her annual salary, as president and then board chairman of the broadcasting company, averaged $57,085 over the decade. Lyndon's salary and expense allowance from the Government averaged $40,973 annually over the same period.

The Johnsons have channeled much of their charitable giving to a foundation they founded in 1956 as the Lyndon B. Johnson Foundation, currently called the Johnson City Foundation. Haskins & Sells reported the Johnson family over the past decade contributed $178,578 to religious, charitable and educational organizations. Over $164,000 of this giving went to the family foundation, which has been retaining a lot more of its income than it has been paying out. The foundation's growing pile of assets, which stood at $317,000 at the end of its 1963 fiscal year, is being invested mainly in oil properties and corporate stocks, including Texas bank stocks.

Profit-Sharing Role

Interestingly, the report suggests that Mrs. Johnson could retain an interest, at least indirectly, in the broadcasting stations even if the family bowed to pressures to divest the Texas Broadcasting Corp. stock. It shows that Mrs. Johnson, while she was an officer of the company, accumulated an $85,000 interest in the company's profit-sharing and retirement plan. The trust agreement with which the Johnsons attempted, according to their counsel, to draw an iron curtain between them and the stations, gives the trustees "absolute discretion" to sell the stations but says that, if they do, they're to give the profit-sharing plan first crack at buying control.

Haskins & Sells didn't purport to tell in figures the entire story of the growth of the Johnson wealth, which began in 1943 when Mrs. Johnson bought Austin radio station KIBC with some of her modest inheritance. Haskins & Sells starts at Jan. 1, 1954, a year after then Senator Johnson had been elected Majority Leader, and takes the tale to July 31, 1964.

Even figured on a cost basis, the Johnson assets clearly rose steadily to ever higher ground. Mrs. Johnson in 1943 told the FCC her total net worth was $64,332. By the start of 1954, according to Haskins & Sells, the family's net worth had grown to $737,730. And that figure, largely because of the gain in the broadcasting company's retained earnings, grew to nearly $3,500,000 by mid-1964.

Over the 10 years covered by Haskins & Sells, Lyndon's income from the Government amounted to nearly $410,000 and Lady Bird and the two Johnson daughters received from the broadcasting company $849,000, in the form of salaries and dividends, rents on real estate used by the company, and interest on debentures and loans made to the company.

The report drops some hints about how Texas Broadcasting is operated, though Haskins & Sells didn't disclose the company's profit-and-loss statement. The radio and TV stations are obviously lucrative but only a small part of the earnings is paid out as dividends.

Haskins & Sells shows that Texas Broadcasting's accumulated earnings applicable to the Johnsons' 84% stock interest amounted to $3,200,000 as of July 31 this year. It shows, too, that over the past decade the Johnsons' stock has collected a total of $74,550 in dividends.

The report doesn't say precisely what the company is doing with its undistributed earnings, but hints that it's doing quite a bit of investing on the side. The hint comes in Haskins & Sells' statement that in the five years ended June 30, 1964, the company realized capital gains totaling $992,748, after taxes, "from the sale of television and radio properties, and from the sale of securities." The figure is almost as big as the company's earnings from its Austin radio and TV operations, which the accountants indicated were $937,835 over the same five years.

Nothing is disclosed about what securities the Johnson company held. Sales of radio and TV properties must be cleared by the FCC. It is known that in 1961 the company sold for $1,400,000 the radio and TV stations in Weslaco, Texas, which it had acquired for a reported $600,000.

(r)

Wall Street Journal
Thursday
August 20, 1964
Page 1
E V
Johnson

Wall Street Journal
Friday October 30, 1964
Page 8 EFV Johnson

Johnson's Course

If Elected Tuesday, LBJ Likely Would Try to Build Broad Base of Support With a Managed Prosperity

By Henry Gemmill

WASHINGTON — With this election won, by a squeak or with a roar, Lyndon Johnson would immediately aim for a landslide re-election in 1968.

If that premise can be accepted—and it seems consistent with the LBJ psyche—the consequences could prove pervasive and perhaps profound.

Though harsh language has been heard in the closing heat of campaigning, Mr. Johnson can be credited with a triumph of tact and tactics in stretching out for nearly a year the honeymoon which any new President normally enjoys. But to stretch it for five years, keeping tycoons in the bedstead beside labor bosses, millions of conservatives curled alongside the great liberal voting blocs, would demand a sweep of strategy.

Political wizardry could play its part. For instance, it is not difficult to imagine a President continuing to deplore—beyond November—the capture of the opposition party by "extremists" of the right, yet simultaneously doing everything he can to sustain their control of the GOP. With ambassadorships and Cabinet posts, he could give his Administration the aspect of a coalition government manned by bipartisan personnel, luring into his own camp a fair number of the "moderate" Republican leaders who might otherwise be fighting for reconversion of their party.

Still, as Douglas Dillon discovered, a Republican who enters a Democratic Administration soon takes on the coloration of his Presidential environment. And, as John Kennedy discovered, an Administration does not appear to the public to be markedly less Democratic, nor less liberal, just because it has hired some Republicans. If Lyndon Johnson is to draw votes right and left it is he himself who must win them, even as in '64. And he must calculate that by 1968 his reverence for God, the travels of Lady Bird and the amplifying powers of a bullhorn will not in themselves be sufficient to sustain the impression that he soars above party and spans the liberal-conservative chasm. He will have to run on his record.

What Kind of Record?

So what kind of a record could possibly produce a Johnson landslide four years from now? There is reason to suspect it might have to be one that looks different from any of recent vintage. Sensing that LBJ's approach to his job diverges from that of President Kennedy or candidate Stevenson or President Truman—none of whom ever won overwhelming broad support for their programs—some folk suggest his model is Franklin Roosevelt.

The idea should be respectfully dismissed. FDR rode a shock wave of potential revolution; its epicenter was the Great Depression. He championed the "forgotten man" against the "economic royalist." He triumphed as the plainly labeled liberal—the conservatives called him radical — whose electoral sweeps and economic reforms swept along on the crest of popular passion.

There is hardly a shred of evidence that President Johnson intends to imitate this. He can see it was Truman, Stevenson and Kennedy who tried to follow the FDR model —or seemed to, despite stabs at restyling. Their very slogans, from Fair Deal to New Frontier, stole a word apiece from the New Deal banner.

It didn't work well, and can't—because the tidal wave subsided during World War II. The American left wing is still large, but not a seething majority, not a towering crest to ride. A President who nowadays becomes clearly identified as liberal can not long command even an overwhelmingly Democratic Congress; he can not construct a record of massive innovation; he can not be elected once again by a landslide. At least, he can't count on it.

If Lyndon is secretly intrigued by any past Presidency, one supposes it might actually be the last Republican one, with its mild progressive-conservatism adjusted close to the fulcrum of a land whose heavily opposing conservative and liberal weights were near even balance. Seeking no great alteration in the nation, Ike could suffer no grave frustration—and most of the nation could never get thoroughly fed up with him.

The Eisenhower Model

On paper, the Eisenhower model could produce even better political results for Johnson. During the next four years, do just a little; do it slow; leave conservatives relatively undisturbed; leave Republicans no sales pitch. Labor people, Negroes and others of the liberal voting bloc would turn impatient, but with a Democrat in office they would have no place else to go.

This may be logic, yet it is less than persuasive. It might fit Mr. Johnson's intellect, but not his glands nor his ego. One suspects the Ike formula could be kept in reserve as a possible line of retreat, but it is not the LBJ battle plan. In short, it's likely Lyndon has really set out to act as that great President who activates the U.S. into the Great Society.

This raises the problem of propulsion. Lacking the agonized energy of domestic disaster which was tapped by FDR, how can LBJ propel his land?

(D) Wall Street Journal
Friday October 30, 1964
Page 8
EFV
Johnson

One venerable method of moving a nation, of course, is to turn abroad—either facing up to foreign foe or achieving peace in our time. In the end Roosevelt himself went down this road, taking the first of its two opposing lanes. Mr. Johnson has been visibly though cautiously excited by prospects of the second. If a try at living more comfortably with the Communists comes off, the political dividends could be rewarding even though the economic consequences in terms of tapering arms production and swelling East-West trade might be mixed.

Too obviously, however, all this depends on what an untested new Russian leadership may have in mind, not to mention a maelstrom of Chinamen, Poles, Hungarians and Vietnamese. So Lyndon can't count, either, on global coziness. It must be assumed that LBJ's search for the answer to the problem of national propulsion will turn homeward.

And there is reason to believe he thinks he already has sighted it—that its essentials are quite simple. The Johnsonian analysis may run something like this:

The relative immobility of the American political mass during the last couple of decades has not been due to absence of energy. Quite the contrary. It is caused by two strong but approximately equal forces pushing in opposite directions. Turn one of the two around, so both will shove the same way. Then the LBJ Administration's record can ride a rocket.

One energy packet has been known since Roosevelt's day as liberalism—but the reality behind the word is still mainly just a lot of people, mostly the less prosperous, who want Government to do more and more for them. (Plus a sympathetic fringe which calls itself intellectual but is mainly linked by heartstrings.) While de-emphasizing the emotion-laden liberal label, LBJ would leave all these pointed in roughly their present direction—pushing for big Government.

The other energy packet has been called conservatism, though Mr. Johnson would also let that label fade. It is another lot of people, mostly the more prosperous, who have feared Government will take more and more away from them. (Plus another fringe who espouse individual independence and an unguided economy from principle or habit.) Mr. Johnson believes a good share of these can be turned around, so the energy of this group will combine with that of the first—shoving likewise toward lustier Government.

Describing the LBJ expectation thus, it may seem surrealist. Foes of big Government will be fond of big Government? Conservatives will be liberals? It sounds absurd in the abstract—and in practice it may indeed prove impossible.

Yet the immediate question is not so much what may finally be possible as what the political eyes of Mr. Johnson view as feasible. And consider how the evidence looks at this moment from Washington:

Moneyed folk are unalterably eager for less Government? No, because if so then why did the intimation of a Goldwater nomination shake the stock market? No, because if they are then why are so few businessmen bankrolling Barry's campaign and so many signing ads for LBJ?

It is not likely such gentlemen have been conned into thinking Lyndon balanced the budget when he flicked off some light switches. Not at all—they are practical men who are simply not going to work up a real sweat over deficits when the longest boom in history is giving them their largest profits. So long as big Government works, these prosperous people are not going to kick it.

In the non-Euclidian logic of politics, the nub of the matter may be this: People are people. Prosperous ones are not much different from poor ones. Give them their share of the gravy; they'll go for Government.

And the comfortable thing is that such a turnabout can apparently be accomplished without any embarrassing open abandonment of conservatism. Instead, as a new generation assumes leadership of the business-oriented voting bloc, the old vocabulary imperceptibly undergoes a semantic shift.

A "pro-business" President, to friends of Henry Ford the elder, no doubt was one who would keep hands off the economy. But from the White House it looks as if the Henry Ford II age-group would gladly settle for an opposite sort of "pro-business" Administration: One which assigns to industry a highly profitable role within a Government-managed growth economy.

This conversion of the conservatives, far from complete, can be accelerated. LBJ can see that remaining fears of an increasingly dominant Government can be soothed merely by easing the minor irritants of Government—and leave him looking like a liberator. To start with, businessmen hate to be called names. Mr. Johnson won't campaign against "Wall Street"; he won't make ferocious use of TV to denounce steel prices; he will hold more White House dinner parties.

In addition, perhaps trust-busters should be tamed a bit, and a few zealots—the sort who seize shredded wheat—weeded out of the regulatory agencies. Lyndon, having seen his own family business prosper under benign Federal regulation never insistent upon rough competition, can have sympathy for that.

Cut Taxes, Spend and Elect

Taxation is another fertile field. The FDR formula—tax, spend and elect—lured the poor but alienated the prosperous. The adjusted LBJ formula—cut taxes, spend and elect—has total appeal. Next step: Make a host of businesses and plump-purse consumers happy by trimming "luxury" excises. And season the corporate tax pot with administrative rulings to taste.

There's even room to honor states' rights. Show how LBJ abhors centralizing all Government in Washington; toss more Federal funds over to the statehouses—as increased grants-in-aid, or even without strings. This conservative-style gesture will be in quiet tune with keep-the-money-spinning economics, and as legislatures are forced into reapportionment it will finance liberal-style social programs. And don't forget most state governors are Democrats, so the money will build electoral muscle.

Behind and above all this the two big objectives are: To keep Washington in control of forced-draft economic expansion, outlawing the business cycle. To set the nation working on a series of great projects, in a manner tempting the mighty and well-to-do along with the common man. Cut business in on the deal, that's vital.

The principles of the proposition are clear enough, especially if one looks rather than listens. Mr Johnson loudly ridicules Mr. Goldwater for attacking TVA, and that's safe because the private electric power enterprise so bloodily liquidated by this New Deal venture is long buried. But note that he takes care not to repeat the pattern nowadays. In Appalachia, and other regional projects which may follow, the idea is to subsidize industry instead—training its labor force, financing its roads and waterways and enlisting the power companies in the regional renaissance with the prospect of profit.

Partnership With Business

Washington has observed that businessmen who have grabbed NASA contracts do not shout against the multi-billion-dollar space program as "big Government." It suspects salesman LBJ can have the same sort of luck with contracts for building great metropolitan transit systems—or for building whole new cities. That's what he was explaining to the Liberal Party in Madison Square Garden—a coming "cooperation" of Government and industry. . . . "The same sort of cooperation that has built our national defense and allowed us to explore the stars."

Very likely Mr. Johnson himself has no rigid concept of how this approach will work out, in detail. But suppose he calculates, for instance, that one reason John Kennedy couldn't sell Federal medicare to Congress was that the program cut insurance companies out of the deal. Then perhaps Lyndon's line will cut them in.

The President is aware some of the well-to-do would still rather spend money on the moon than on expanding the poverty program; that some of the whites still don't want Government giving a hand to blacks. But he sees the steam of opposition leaking out of these people; he has reason to expect they will turn around to the Great Society as they see its offerings extended to include them. Lyndon has his task forces out, figuring how to spruce up the suburbs along with the slums.

So Lyndon can count on his '68 landslide? Well, not quite. The future has ways of frustrating humanity, even Presidents. One might advise Mr. Johnson to look out for inflation, beware the balance-of-payments, but most of all to prepare himself for the unpredictable. And who knows? Maybe, even if LBJ does succeed in giving America his Great Society, Americans won't think it's so great.

Wall Street Journal
Friday
November 6, 1964
Page 12

EFV
Johnson

The President's Problems

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His Own Makeup, Relations With People May Be Pitfalls

By ALAN L. OTTEN

WASHINGTON — Despite his landslide election victory, President Lyndon B. Johnson will face some urgently pressing problems in the near future. And not the least of these may be of his own making, the product of his own larger-than-life personality—his tireless energy, his driving ambition, his towering ego.

The President clearly will have to address himself in the coming months to election-delayed foreign policy decisions: In Vietnam, Europe, Latin America. And the home front will need tending to, also.

Steel companies may confront Mr. Johnson with vexing price increases. Critical budget decisions must be made, and the far-reaching and frequently utopian recommendations of a host of Presidential task forces must be winnowed out.

Liberal supporters in Congress will be urging the President to endorse a purge of disloyal Southerners. Even with a top-heavy Congressional majority, he may still have difficulty passing one or two of his more cherished legislative projects, such as the medicare bill. Negro groups, self-muzzled during the long campaign, will push new demands.

Almost all of these problems grow out of external situations: International developments, decisions by private citizens or groups not directly subject to Presidential control, political movements with an existence and impetus of their own.

Equally crucial for Mr. Johnson as he begins a full four-year term—and perhaps even more difficult for him to handle—will be the problems that grow out of his own makeup, his own working habits, his relations with people around him. It's possible that his big win and awesome opportunities and responsibilities will, as he was suggesting in private pre-election conversations, humble him, impelling him to reshape basic personality traits. But certainly there are worrisome indicators that this may not be the case.

Pushing Presidential Power

For one thing, Mr. Johnson may have difficulty controlling himself from abusing the huge power he has now won. The knowledge that he was to some degree custodian for John F. Kennedy and perhaps to an even larger extent the awareness that he would have to face the voters within a few short months served as at least a mild restraint on his normal power drives during the past year. Even so, he pushed Presidential power in some rather dubious directions; for example, the exploitation of Federal Bureau of Investigation prestige to help him out of such campaign tight spots as the Walter Jenkins affair, and the use of Federal agencies to release favorable economic reports in ways best calculated to aid the Democratic campaign effort.

Now elected in his own right by almost incredible totals, there will be a great temptation for the President to throw his weight around even more freely. There will be more than the usual opportunity to apply the full force of executive authority to bend lawmakers, businessmen or other holdouts to his will—using Federal "pork" projects, patronage, Government contracts, tax and antitrust prosecutions, and a vast variety of other Federal prerogatives as rewards for the pliant and punishment for the recalcitrant.

There can be little question that Mr. Johnson is an abnormally egotistical man, raw to even the mildest criticism. His intellect can understand and even appreciate critical comment, but his emotions not only resent but resist it. Occasionally, this resistance even forces him into bravado actions that contradict his own good judgment. For example, Mr. Johnson clearly appreciated the personal dangers of a President pushing deep into crowds or standing up silhouetted against the night atop his limousine. Yet editorial warnings seemed merely to impel him into ever more frantic personal contact with the voters. Translated to matters of state, his compulsiveness could pose large risks.

Moreover, the President has a disturbing tendency to nurture and brood over criticism; his unhappiness roils within him until it bursts out, not always in a way helpful to his cause.

Even though his intellect warned that it would be bad politics for him to answer Republican criticism of his relations with Billie Sol Estes and Bobby Baker, he repeatedly seemed on the point of doing so anyhow, and political lieutenants dissuaded him with only the greatest effort. The GOP handling of the Jenkins affair annoyed him so deeply that he began talking in private conversations with reporters about the homosexual officials in previous Administrations; finally, late one campaign night in San Diego, he blasted the charge out into the open in answer to a TV reporter's questions. It was not, Johnson aides abashedly

(V)

Wall Street Journal
Friday
November 6, 1964
Page 14
EF V
Johnson

admitted, one of the President's finest moments.

The President intellectually knows his public speeches tend to be too long, but he repeatedly finds himself unable to stop speaking and then insists his audience was enraptured — even though some listeners walked out on him. He can't discuss personalities, even those he admires, without jibing or jabbing at some small point. Often he publicly blames an aide for some failing even when he knows full well the fault was his own.

In many ways a naturally dignified man, some showman's impulse frequently forces him to cornball; he can broaden or narrow his Texas twang at will. He wants to be liked, but often his efforts to win admiration and affection are so overwhelming as to smother rather than captivate.

Rebuilding of Staff

Partly because of his personality and partly because of other factors, Mr. Johnson almost surely will have to undertake soon a major rebuilding of his personal White House staff. Most of his Cabinet will probably stay, at least for a while, and, when vacancies do occur, there usually is no great difficulty attracting good people for such prestigious posts. Replacements will be needed rather quickly at sub-Cabinet levels, but again, the attractions of the jobs plus the assurance of distance from the White House should insure an adequate supply of personnel. The President's chief chore will be to find people to work intimately with him at the White House.

Himself a tireless worker, Mr. Johnson drives his personal staff hard and long. While he can be sweet and sympathetic to an assistant beset with health, financial or other trouble, he can also be tough and dictatorial. Some of his aides—men such as the now-departed Mr. Jenkins or press secretary George Reedy—remained devoted for many years, but many others left after appropriate service and maintained an arm's-length distance from their former boss.

"The most good that could have come from the Walter Jenkins affair," says one White House aide, "would have been if the President had realized that he just can't push his men the way he does. But there's no sign he's learned that lesson."

Many of the original Kennedy White House staff will now be leaving; party loyalty kept them at their posts through the election. Ralph Dungan, who specialized in foreign aid problems and in hunting talent to fill key Federal posts, has been named ambassador to Chile. Top political operatives Kenneth O'Donnell and Larry O'Brien want to write a book about the Kennedy years, and then plan to find other work.

Mr. Johnson replaced Mr. Jenkins with a man already on his staff and already overloaded — Bill Moyers. The President's personal confidant, Jack Valenti, talks of wanting to return to his Houston business but can probably be persuaded to stay on; however, he, too, is already doing the work of several men. Other recent Johnson additions to the White House staff already complain of working too hard, and too long.

Attitude of the Press

Still another problem for the President, particularly in view of his sensitivity to criticism, is a possible change of attitude toward him on the part of the press. Except for a few favored columnists, Mr. Johnson does not enjoy great personal affection or respect from many editors and Washington correspondents.

Many resent his vanity, his corniness, the tendency of the President and his aides to slant or even twist facts. During the campaign, criticism of the President was to some degree muffled because so many of these editors and publishers were preoccupied with concern over Republican Presidential candidate Barry Goldwater—worried over his foreign and domestic policies, offended by many of his supporters.

With the Goldwater threat now removed, it's likely that large parts of the press will now flip-flop and became highly critical of Mr. Johnson. His proposals and activities will be perhaps scrutinized even more closely than usual, particularly by normally Republican papers slightly embarrassed over their pre-election support of a Democrat.

This new or enlarged volume of criticism could, moreover, find quick response in the nation. The GOP campaign, however unsuccessful at the ballot box, did sow widespread distrust and suspicion of the President, even among many voters who voted for him as a lesser evil than Mr. Goldwater. These citizens, in the years ahead, could come to believe the worst of Mr. Johnson.

The President is shrewd and intelligent enough to know his problems and handicaps. Influential friends and advisers will constantly seek to moderate his tendency to personal excess. The mark of the new Johnson Administration may depend on how well they succeed.

Texas Friend of President Gets License, Loan for Small Business Investment Firm

Wall Street Journal
Wednesday
December 30, 1964
Page 1

E. V.

Johnson

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON — The Small Business Administration disclosed it licensed a small business investment company in Johnson City, Texas, headed by A. W. Moursund, a longtime associate of President Johnson, and has authorized a $150,000 Government loan to help put the company in business.

The new company, Highland Lakes Capital Corp., plans to invest its $300,000 starting capital in various Texas small business ventures, particularly those in the Highland Lakes area west of Austin, according to SBA spokesmen.

Mr. Moursund himself is listed as president; his mother, Mrs. Mary F. Moursund, as vice president; R. E. Stubbs, Jr., who is vice president and cashier of Citizens State Bank of Johnson City, as treasurer, and Thomas C. Ferguson, Mr. Moursund's law partner, as secretary.

Small business investment companies are private concerns licensed by the Government to provide long-term loans and equity capital for small businesses needing funds to modernize or expand their operations, or develop and market new products. The Government, while regulating their operations through the SBA, provides them with loans at 5% interest and with certain tax advantages such as an exemption for dividends received from their investments.

The total $300,000 starting capital is the minimum for SBA licensing, under rules in effect when the application was processed. If Highland Lakes Capital increases its private capitalization above $150,000, it will be eligible for additional matching loans up to a maximum Federal share of $700,000. The Government normally receives subordinated debentures from the investment company in exchange for the loans.

Aside from these loans, the new investment company can borrow "operating funds" from the Government as well. The limit on these is one-half an investment company's paid-in capital and surplus, up to a maximum Federal loan of $4 million. Some of the more than 700 investment companies licensed by SBA use only private capital, however.

Pre-Freeze Application

SBA disclosed the licensing of Mr. Moursund's investment company in a routine press release that announced licensing of a total of 13 new concerns. All had applied before the agency slapped a three-month freeze on licensing last summer while it reviewed the standards it had been using to judge the merits of such applications.

SBA ended the freeze in October when it announced new, stiffer standards, including a minimum of $300,000 in private starting capital in most cases. But these measures weren't applied retroactively to the petitions of Highland Lakes Capital and the 12 other concerns.

The Highland Lakes Capital Corp. application was filed Nov. 14, 1963, according to SBA officials. Under normal procedures the agency, after looking over such applications, notifies the applicants to proceed with whatever steps are necessary to comply with state laws and collect the private capital. The applicants can ask the SBA for more time to accomplish such steps when necessary.

The license for the Moursund concern was actually approved last Aug. 6, according to an SBA spokesman. In explaining the delayed announcement, this official said that at the time the freeze was begun last July 25 investment company applications were pending or, in a couple of cases, just approved. It was decided to wait until all had been approved or dropped and then make one general announcement: "We didn't want to dribble these things out one by one." Only last week, he reported, the last of the 25 application cases was wound up, and this led to the announcement of the 13 new licenses, which had been approved at various times since last June.

"No member of the House, no member of the Senate, and no member of the White House ever contacted SBA regarding the Highland Lakes application for a license," the agency spokesman stated.

Diversified Policy Planned

Highland Lakes Capital Corp. is owned by its four officers in equal shares, according to SBA records. While it plans a diversified investment policy, according to agency officials, the company has said it may focus from time to time on real estate and construction enterprises and small manufacturers.

Mr. Moursund, a former county jurist who's widely known as "judge," and his partner Mr. Ferguson couldn't be reached for questions. Mr. Stubbs seemed reluctant to discuss any details about the company's investment plans, its ownership or the sources of its private capital, and said questions should be directed to Mr. Moursund. These three men are listed as the investment company's directors, according to the SBA.

After President Johnson took office in November 1963, Mr. Moursund became trustee for much of his land holdings as well as a trustee for the Texas Broadcasting Co. (formerly LBJ Co.) stock owned by Mrs. Johnson. He is also a trustee for the Johnson City Foundation, a charitable foundation started by Mr. and Mrs. Johnson eight years ago.

Mr. Moursund, aside from these responsibilities, is also a landowner himself, an insurance man and a banker. He and Mr. Johnson became partners in certain real estate investments before Mr. Johnson became President.

Mr. Stubbs is also a trustee of the charitable foundation. "No connection, though," he said.

SBA officials said they couldn't be certain whether the new Johnson City concern had yet begun investing its capital. While the Government has various regulations covering these investments, such as one rule generally limiting investment in any one small business to 25% of the licensee's capital, individual investment transactions of a routine nature don't require its prior approval. The licensees must file semiannual and annual reports, however, and the SBA reviews these. The annual reports are audited by public accountants. In addition, agency field examiners occasionally check up on licensed companies.

The Wall Street Journal
Friday
January 8, 1965
Page 1

EV

LBJ

EV LBJ

JOHNSON DELAYS announcement of resignations until he can unveil replacements. Sample case: Federal Communications Commissioner Ford, who just quit. But some officials grow impatient, reveal their own departures anyway. Included: Emergency planner McDermott, Navy Under Secretary Fay.

LBJ'S PASSION for controlling the news stretches to extraordinary lengths.

He strives in some cases to manipulate public opinion by attempted secrecy. Johnson misleads the press on his intentions. He even tries to keep his own bureaucracy in the dark, to prevent leaks. Offenders face harsh action; a Presidential aide was pushed out for spilling a memo on Vietnam. The White House called in copies of cables from Ambassador Taylor after contents of some came out.

The President broke up a "multi-lateral force" planning group on grounds of overzealous propagandizing without permission, though it favored his avowed aims. Published speculation about a plan under White House study can be enough to provoke Presidential veto of it. Health, Education officials sent policy proposals to the White House, but never heard decisions till some were publicly announced.

Johnson carefully planted reports that he planned a sub-Cabinet shakeup, then objected to resulting news stories.

MINOR MEMOS: The Federal Trade Commission puts out a pamphlet loudly titled Fight Back! The Ungentle Art of Self-Defense; it's an anti-gypping guide for consumers. . . . Agency officials predict Johnson's budget will rely on complicated new devices to hold down spending; "I don't even understand some of them myself," confesses one Budget Bureau officer. . . . The sedate Federal Register celebrates the new year by bursting forth in an illustrated cover; the picture is quite in character—a drawing of the stately Archives Building.

Thinking Things Over

BY VERMONT ROYSTER

The Lyndon Touch

For a fleeting moment while watching TV the other evening the thought flitted across the mind that Lyndon Johnson was the first President to realize that times have changed since 1936.

But by the time he had finished there was also the thought that, as the French proverb has it, the more things change the more they remain the same.

Or, in American political terms, the more change the more the habit grows to treat hundred-million-dollar packets like small change. The President even managed to toss out a billion and a half dollars as casually as you might flip a quarter to a baggage porter.

It's true that, like all his predecessors, Mr. Johnson seemed to be throwing everything into the stew, and his catalogue of ingredients for the Great Society was long enough to keep Congress sweating over the stove for a long, hot summer. Ever mindful of a modern President's manifold responsibilities, he even prescribed a substitute for the Ev and Charlie show which will disappear now from the TV lists. Although Brezhnev and Kosygin haven't agreed to fill the gap, it was a good try.

But Mr. Johnson, unlike his predecessors, was content to toss into the pot only those left-over ingredients that happened to be lying around the kitchen. The newness, if any, was in the mixture not in the offering of new experiments of his own design.

As a matter of fact, of all the items on his list only Medicare asks the country to try something unprecedented, and this one has long been brewing. Go down the rest of the list—urban renewal, highway building, the programs aimed to promote education and medical research or to combat juvenile delinquency; however different in size, however varying in common sense, all are familiar ingredients in Government programs.

* * *

Besides the absence of bold new devices, there was another difference in this State of the Union message. Missing were the attacks on "special interests," the touches of rancor against political foes, at home or abroad. Gaullists and Russians were treated as gently as Republicans. The closest he came to a biting remark was about the Chinese Communists.

In all this President Johnson seemed to be recognizing that the country is in a different political mood. From Truman through Kennedy—including Eisenhower to some degree—our Presidents have felt a necessity to emulate FDR with political innovation, preferably a sweeping one, as a sort of memorial to their Administration.

But the country isn't the same, and hasn't been for a long time. It isn't in the slough of depression. It doesn't need something bold and new to get it moving again; there is vast difference between a poor country and a rich one with some pockets of poverty.

If business ever needed to be manhandled by the Government, it certainly doesn't now; times have made ridiculous those speeches about enfeebled labor unions oppressed by wicked managers. There are no Okies fleeing westward from the Middle West. There is no longer, either, a war devastated world calling for Marshall Plans; the dollar gap has vanished.

This being so, the people aren't in the mood for "bold, new schemes," and Lyndon Johnson has shrewdly recognized this. Events are likely to prove that, for all the posthumous adulation of President Kennedy, the quiet man is more in tune with his times.

Yet this lack of innovation, while striking, can be deceptive. Go back over that list of "I propose" items Mr. Johnson handed the Congress. Do you want to go to college? The Federal Government will take care of it. Do we need beauty? The Federal Government will provide it. Does your community have some distresses? The Federal Government will correct them. Are you sick? The Federal Government will nurse you. Is there delinquency among our children? The Federal Government will step in loco parentis.

It would be hard to find a political speech that in total added up to a more complete prospectus of paternalistic government. Not this time with a host of new upsetting laws for new schemes and new programs. This time it's just going to be done with money.

Had Mr. Johnson proposed a Federal agency to control the whole educational system, with power to decide who "merits" a college education, he would have started a devil of a row. So he would too if he had proposed nationalizing medicine, or a Federal law to define beauty or a Commission to select State-approved art and music.

As it was, the Johnson catalogue drew only a few vague rumblings, although if you put enough quantity of money into any program you change it qualitatively, because where the Government pays the piper it decides what tunes merit playing.

* * *

This shows again how shrewdly he's in tune with the times. The bare truth is that, despite the few who grumble, no political issue worries people less than a budget deficit, and when you get one by decreasing taxes while increasing spending you can't find enough objectors to populate a small city.

Statisticians may debate the devaluation of the dollar in purchasing power. It's clearly been devalued as a thing to take seriously, whether by the politician, the businessman, the householder, the wage earner or the teenager on an allowance. Of course everybody would like to have more dollars, but not by their own efforts or by their own husbanding. If it's easy go, it's also easy come. The Government will just print up some new ones and spread them around.

The moral implications of this must be left to philosophers. The fact follows a simple economic law: That which is plentiful and easily garnered—like the air—is but little valued. The political corollary is that dollars are the one thing a politician can toss around without an uproar.

You can't credit Lyndon Johnson with this discovery. Where he's bested his teachers is in recognizing that's all you need. People can grow weary of endless laws, even angry at abrupt or radical changes; but of spending, never. After all, it's only money.

Wall Street Journal
Friday
January 8, 1965
Page 4
EV
LBJ

The Wall Street Journal
Tuesday
January 19, 1965
Page 14
E ✓
Johnson

Thinking Things Over

By Vermont Royster

Texas Diplomacy

In barely more than a year in office President Johnson seems to have acquired a legendary reputation as a master practitioner of courthouse politics on the national level. The political pundits, awe struck in either admiration or alarm, are almost unanimous that in his cornpone way he's going to get more out of Congress than his illustrious predecessor.

But there's almost an equal unanimity that foreign policy is a different kettle of catfish. The thought is that you can't treat a struggle for power in Europe in the same way you would a fight over who's going to be Democratic boss in upstate New York.

Well, perhaps not. But several recent developments offer some clues to President Johnson's approach to foreign policy, and the substance of it seems to be the application of West Texas politics to the tricky terrain of international diplomacy. The techniques are familiar—a judicious balance of back-patting and arm-twisting, the swapping of tit for tat, the sly undercutting of the opposition's power base and the building of power by the careful use of patronage.

A case in point is the way President Johnson has been juggling the proposal for an MLF in NATO. This is an important matter because it involves a major U.S. foreign policy. But the manner of its handling is intriguing because it suggests Mr. Johnson is tackling General de Gaulle with much the same tactics he used on Senator Goldwater.

* * *

The multilateral force, as you'll recall, would be a fleet of warships manned by mixed crews from all the NATO nations under NATO command. It differs from the more traditional combined military operation in that the force would be totally integrated, no longer identifiable as belonging to one nation or another.

The idea was first put forward during the Eisenhower Administration by Secretary of State Herter. President Kennedy had been only a few months in office when he picked it up and made it a part of his own policy for NATO, broadening it to include submarines as well as surface ships. The program—that is, the advocacy of it—carried over into the Johnson Administration; the new President himself endorsed it several times.

So here was a policy examined and thought well of by three Administrations. As a military idea it was dreadful; as a political idea it did have a certain appeal. Its threefold object was to counterbalance Soviet ballistic missiles in the European area, recreate the lost sense of unity in the European alliance by involving everybody in a common team, and discourage European nations from developing their own nuclear systems.

There was, however, one little catch. In Europe, practically nobody liked it. The West Germans were willing to humor us in the hope that MLF might get them a foot in the nuclear door, but they weren't enthusiastic. The British, to put it mildly, were lukewarm. The French threw a fit.

Before long it was tangled up in all sorts of other problems: The French determination to build their own nuclear power; Franco-U.S. rivalry for German support; Franco-British arguments over the Common Market; European fears of German military power; the general desire of all the West European countries to diminish, not increase, the American role in Europe. From the political standpoint it was plainly a dud.

Nonetheless, it was pushed hard. In part our stubbornness may have been just pride in our baby. But it was also logical to a certain type of mind—if the plan was good for the Europeans, didn't the responsibliiites of world leadership require us to force it on the Europeans whether they liked it or not?

Thus matters stood until President Johnson's political sense grasped a simple thing that had escaped practically everybody else. If the policy so aroused the Europeans it was bad politics. And if in arousing the Europeans it defeated one of its main purposes—the achievement of unity—then no matter how good it was in the abstract it was also bad policy.

* * *

Any good politician knows what to do in this kind of situation, and Mr. Johnson did it. He let it be known he wouldn't jam MLF down anybody's throat.

Of course in the immemorial way of politicians the shifting tracks are being scuffed over. Mr. Johnson is still for MLF, you understand, and said so again last week. This keeps his advisers happy, the record consistent and his freedom of future maneuver intact. But in downgrading MLF from its "must" status he has widened his room for present maneuver. He's made it possible, without losing face, to bury MLF in an unmarked grave.

This simple move has already accomplished much. General de Gaulle has the satisfaction of winning a point, but he has lost an issue that was highly useful to him in stirring dissatisfaction against the U.S. The effect was the same as when Mr. Johnson undercut the Republican economy issue by turning out the lights at the White House.

It could accomplish more, not because it will automatically win over European countries on other things but simply because U.S diplomacy can now operate on these matters without that irritant. The politician's instinct may prove good statesmanship indeed.

This isn't the only example of Mr. Johnson's use of the arts of Texas politics in international affairs. In the Panama controversy he's put on his Congressional demeanor of "let us reason together." But the mixture, you note, also includes some hinted promises (to build Panama another canal) if the Panamanians are reasonable and some not-so-veiled threats (to build the new canal elsewhere) if they aren't.

The President doubtless had the same mixture in mind when he did the heretofore unthinkable with foreign aid, letting the idea get about that he expects some quid for the quo when the U.S. dispenses money.

All this is exactly the way he handled the Southern delegates at Atlantic City—quite successfully, too—and that's what makes it so fascinating.

Roosevelt conducted his foreign policy by charm, Truman by big doses of U.S. power and money, Eisenhower by calmly walking brinks and Kennedy by making speeches. Lyndon Johnson conducts his as if Paris, London and Moscow were extensions of a Texas courthouse or the Senate cloakroom. And who can be sure it won't work?

(1)

The Wall Street Journal
Friday
April 9, 1965
Page 1

Lyndon's Lobbying

By Courting Congress Assiduously, Johnson Furthers His Program

He Neutralizes Some Foes At White House Briefings, But Congresswoman Balks

Phone Calls & Photographs

By ALAN L. OTTEN
Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON — A new picture is being prominently displayed in Congressional offices all over Capitol Hill.

A handsomely mounted eight-by-ten-inch color shot, it shows the particular Senator or Representative and his wife impressively posed with the President and First Lady in the White House Green Room. Handwritten across the bottom is the legend: "To the blanks, with best wishes," and the signatures, "Lyndon B. Johnson—Lady Bird Johnson."

The photos, snapped on an assembly-line basis as the lawmakers dropped by the White House recently for evening briefings and buffet dining with the President, are hardly likely in themselves to change any votes in Congress. But they're symptomatic of the special attention President Johnson is paying to Congressional relations, even in the midst of Vietnam and racial crises.

The pride with which the pictures are displayed by Republican as well as Democrat shows the President's shrewd judgment of what can win friends and neutralize enemies in Congress. Together with dozens of other similar touches, this personal consideration can on occasion make a vital difference in the progress of the President's legislative program.

"Flattered and Impressed"

"No matter how sophisticated a guy is, he's flattered and impressed by attention from the President of the United States," says a very sophisticated Senate Democrat. "There's no politician in either party who doesn't like to tell his friends and his constituents what the President said to him the other night and what he said to the President. As a man who was on the Hill over 30 years, Johnson knows that and is shrewd enough to take advantage of it."

Consider a few other random examples. LBJ drops by unexpectedly to josh with House members dedicating a new gymnasium. Top Democrats and Republicans on the Senate Finance and House Ways and Means Committees are asked to the White House to comment on possible choices for Treasury Secretary; though the President has almost surely made up his mind already, the lawmakers feel their views truly matter.

Florida Democratic Rep. Bennett breaks his leg and receives a Presidential bouquet. Democratic Sen. Randolph of West Virginia and Rep. Jones of Alabama manage the Appalachia bill to successful passage and receive Presidential thank-you phone calls within minutes afterward. New Jersey Republican Sen. Case gets a thank-you call for his nice comments about the President's voting rights plan, and GOP Sen. Scott of Pennsylvania is asked up to the Johnson living quarters for a night-cap and talkfest after a White House briefing.

Freshman Rep. Hungate of Missouri worries that if he stays late on a Friday to vote on the Administration's school bill, he won't be able to keep a long-standing commitment to address a Democratic breakfast session in Springfield Saturday morning; to keep Mr. Hungate on hand for the vote without angering the folks back home, the President wires the breakfasters his regrets for holding "this outstanding young Congressman" in Washington, plus assurances that Mr. Hungate is showing his "patriotic commitment to the great goals in the pathbreaking education bill now on the floor."

Improving on Kennedy

There's no question Mr. Johnson pays more heed to Congressional relations than any President in recent history, though predecessor John Kennedy also worked hard at the task. Mr. Kennedy upgraded White House Congressional liaison with a six-man staff headed by his long-time political lieutenant Lawrence O'Brien. He and Mr. O'Brien strove to get outside groups such as the AFL-CIO or Farmers Union to team up with Administration lobbyists on individual bills. He sent congratulatory birthday notes to Senators and Congressmen, included them in prestigious state dinners, invited large groups to witness bill-signing ceremonies and receive pens used in the signing, and asked legislators to ride with him on the Presidential jet.

But Mr. Johnson goes at it harder, day and night, weekday and weekend. He wants to pass his "Great Society" bills for what they can accomplish for the country and for his own image in the history books. Not as eloquent as Mr. Kennedy in outlining his point of view, he is a master manipulator who almost intuitively knows how to advance his aims best, detecting where legislative roadblocks may develop, who can be pressured or flattered, and how best to do it.

Characteristically LBJ takes pains to clear his proposals in advance with private interest groups, as well as influential lawmakers, to minimize the opposition; he met once publicly and twice privately with groups from the National Education Association to put down rebellions in that important organization against the school bill provisions permitting aid to parochial schools.

Not only has Mr. Johnson refined and expanded the Kennedy techniques but he's added some of his own. The groups he invites to the White House bill-signing ceremonies are larger. He sends out birthday notes and, on occasion, also phones congratulations.

Briefings and Buffets

Mr. Kennedy used to ask members in for informal coffee hours; Mr. Johnson has invited all 535 Senators and Congressmen and their wives this year to evening briefings and buffets. Over 500 actually came, in groups of about 50 couples, twice a week, on Tuesday and Thursday evenings for five weeks in February and March.

They would arrive at the White House

Please Turn to Page 16, Column 1

Lyndon the Lobbyist: His Courting Of Congress Helps Push Program

(2) The Wall Street Journal
Friday
April 9, 1965
Page 1

Continued From First Page

around 6:30 p.m., have a drink, then stroll into the Green Room for the picture-taking. Next, Mrs. Johnson would take the ladies on a tour of the family living quarters and a film on the White House, while Mr. Johnson would take the lawmakers into the Blue Room for a briefing of two hours or more on Vietnam, the budget and other national and international topics.

Secretary of State Rusk, Defense Chief McNamara, Budget Director Gordon and Vice President Humphrey were the official briefers. But always, at some point, the President himself would jump in for 30 to 45 minutes, ending with the reminder that if any member ever wanted to talk to him, "I'm just as close as your telephone." The lawmakers could, and did, question the President and other officials at any point. With the briefing over, they rejoined the ladies for a buffet supper that lasted until 10:30 or 11 p.m.

Even the most conservative Republicans give grudging good marks to the meetings, and most Democrats are ecstatic about them. The President talks of the sessions as the nearest thing to the questioning of Britain's Prime Minister and Cabinet in the House of Commons, and plans to stage more from time to time. Even lawmakers who doubt they found out much that couldn't be learned in a close reading of the daily papers did welcome the intimate, first-hand impressions of the President's mood and goals.

"He neutralized in those briefings a lot of the resentment from his plans to close the veterans' hospitals and the agriculture research stations," a Senator asserts.

38 Extra Democrats Help

Of course, it's easy to overstate the importance of Lyndon's personal lobbying. Actually, many key lawmakers argue, Mr. Kennedy had his program pretty well on the track when he was assassinated and would have wound up the 1964 session with a record not very different from Mr. Johnson's. This year, the main secret of LBJ's legislative success is simply the extra 38 House Democrats elected last fall.

"The reason we're passing bills that were stalled last year is that we've got the horses now," says a House Democratic leader. Adds an Administration lobbyist: "I'd rather have those 38 votes than all the Presidential telephoning in the world."

Mr. Johnson's public support helps his legislative record, anyway, quite apart from any specific pressures he applies. Members want to be sure of Presidential aid in their re-election campaigns in 1966 and 1968. The goodwill LBJ has won in the business community has minimized the pressures felt in Congress against new welfare schemes and made it easier for many legislators to go along.

It must be noted, too, that reports of Mr. Johnson's lobbying activities, prodigious as they are, tend to be exaggerated. He does less phoning now than in his first lonely days in the White House; nowadays the calls go chiefly to Senate and House leaders, committee chairmen and old friends, or to someone who's done a particularly good job for the Administration. On a crucial vote, he may call 10 or 12 members seeking support, but there are lots of lawmakers who have never had a Presidential call.

Far From Infallible

Moreover, White House liaison with Congress, despite Mr. Johnson's reputation for legislative legerdemain, is far from infallible. The Administration decision to close a number of veterans' hospitals produced such an explosive capitol reaction that it has prompted Presidential reconsiderations.

Another apparent failure: Some weeks ago, the White House heard rumblings that fiery Rep. Edith Green of Oregon, a key Democrat on school legislation, would probably fight important sections of the Administration's education bill. Presidential aide Douglass Cater invited her to a White House lunch, then took her in for a chat with Mr. Johnson. Mrs. Johnson invited her to a domestic Peace Corps ceremony in Florida. But the Congresswoman still fought two key provisions of the bill, forcing a major outpouring of Administration effort to defeat her on the House floor.

There's no question that from time to time the President and his lieutenants do twist Congressional arms with threats of retribution (Administration opposition to a pet bill or project or loss of patronage) or promises of reward (a better committee assignment or extra re-election help). But such instances, Mr. O'Brien insists, are far rarer than rumor has it.

The great bulk of White House legislative liaison work is far more routine. It consists largely of offering smaller favors, to create a generally friendly attitude on the part of lawmakers—"where he'll want to go your way unless there's some compelling reason back home against it," Mr. O'Brien puts it. Among the favors are invitations to the White House, advance news on awards of Government contracts and assurances that agency bureaucrats will carefully consider a member's suggestion. A large part of the job, too, is making sure the legislators have the facts and arguments for any pending bill, keeping the pressure on committee chairmen to push ahead with hearings, mobilizing outside support, and making sure Administration supporters are actually on hand for the voting.

In many ways, Mr. Johnson has tried to underline his belief in good Congressional relations. For example, he's set Mr. O'Brien's pay $1,500 a year above that of any other White House assistant. (Mr. O'Brien hopes to leave within a few months, but insists this is because four years on a job is enough and not because the President's wide-ranging role diminishes Mr. O'Brien's.)

Humphrey Used More

Mr. Johnson gets almost everyone on his team into the lobbying act. He is using Vice President Humphrey far more for legislative aid than Mr. Kennedy used Vice President Johnson—to take soundings, suggest Congressional strategy and influence individual members, particularly Democratic liberals. Mr. Humphrey asked a number of House liberals to his office to quiet doubts they had on the parochial school aid made possible by the Administration's education bill.

Everyone on the White House staff is expected to help the O'Brien shop. "What are you doing down here when my bill's up on the floor up there?" LBJ may demand of staff members. Among others, Special Presidential Assistant Jack Valenti is spending more and more time talking with Senators and Congressmen. At one point during House consideration of the school bill, there were two members of Mr. O'Brien's liaison staff outside the House chamber, plus White House aides Marvin Watson, Douglass Cater and Bill Moyers, an official of the Democratic National Committee and three representatives of the Department of Health, Education and Welfare—in addition to Administration-coordinated lobbyists from the National Education Association and other private groups.

Rez.

Please Return to RV

Parting shots from Johnson

Final batch of reports left for Nixon and Congress takes aim at wide social ills

Former first family leaves for Texas after President Nixon's inauguration.

As the Nixon Administration and Congress settled down to work this week, they found among the unfinished business left behind by the Johnson team a bundle of reports directed at some urgent U. S. problems: race and the urban crisis, antitrust trends, college education for all, housing, and the placement of more defense contracts in ghetto plants.

It remains to be seen how much impact the lame-duck proposals will have. But some of them are already under lively discussion.

Secretary Robert Finch of Health Education & Welfare, for instance, will soon hear from the Senate Labor Committee on a proposed three-man council of social advisers for the White House. The idea of such a council, paralleling the long-established Council of Economic Advisers, is not brand-new: Senate hearings on the proposal were held a couple of years ago. A staff of experts would report to the President and Congress on social trends that contribute to urban blight and social and racial unrest—just as the economic advisers take readings on the state of the economy and warn of potential dangers ahead.

A new twist. But at this year's hearing, Finch will be confronted with information and recommendations from a 205-page study completed just before Wilbur J. Cohen left office. Cohen's parting gift is titled Toward a Social Report—a first step, he hopes, toward an annual report on a "comprehensive set of statistics reflecting social progress or retrogression."

The goal is to provide hard data that would help measure such things as opportunities for advancement by Negroes, air and water pollution, the impact of rising national income on the poor, and health problems.

Do we have copy?

Cohen's report backs up a stand also taken by Daniel Patrick Moynihan, Nixon's new adviser on urban affairs, who strongly favored the creation of such a council during the earlier Senate hearings.

Education. Another report from Cohen asks that every able student get a chance for a college education, regardless of his means, and that the federal government support research and educational programs at graduate schools. He would triple the federal funds for higher education, boosting the total to $11-billion annually by 1976.

HEW's report focuses on the loss to the nation of the talent of youngsters whose circumstances bar them from college. But, significantly, it doesn't neglect middle-class and even upper-class families who have been moaning about the high cost of higher education. Among its recommendations:

- Major expansion of educational opportunity grants to all needy full-time students. With grants scaled to family income, it's estimated that almost half of all undergraduates would be eligible for some financial help ($200 to $1,500 annually). Supplementary cost-of-education grants keyed to the amount of federal aid garnered by students would go directly to the colleges to be spent as they see fit.
- The creation of a national student loan bank, open to all students regardless of need, with flexible repayment terms extending up to 30 years. Loans would cover all or part of tuition, fees, and living expenses for up to five years of graduate or undergraduate study.
- A substantial increase in federally sponsored graduate fellowships and graduate school support programs.

HEW's proposals also include programs to improve undergraduate teaching and encourage efficient resource utilization by colleges. But the report stresses that of the $6.3-billion increase in federal aid to the campus that it envisages by 1976, $4-billion would be connected to aid for needy students—"the highest priority in our recommendations."

Merger watchers. Another report, this one from the staff of former President Johnson's Cabinet Committee on Price Stability, is being sniffed eagerly by the Congressional antitrust hounds. It spotlights "profound changes" in the structure of the U. S. economy, led by "an enormous merger movement" that is still under way.

The report—released on the last day of Johnson's term—takes the old-fashioned trustbuster's view of the sharp increase in mergers last year (about 2,300 separate acquisitions in 1968, compared with about 1,500 in 1967 and 1,000 in 1965) and worries because large companies are especially active in this regard.

It calls on the antitrust enforcement agencies to step up their attack on conglomerate mergers and for a "thorough and expeditious study" of how the law can be strengthened to get at them. It supports the Securities & Exchange Commission's proposal that conglomerates should break down their financial reports by product lines. But it says that the SEC's proposals do not go far enough and instead of breaking down all products that contribute 10% to sales or income, the figure should be 5%.

The Cabinet committee, estab-

PAGINATION INCORRECT

lished early in 1968 by Johnson, is in limbo right now and may be abandoned by Nixon. Some of the committee's ideas, however, have support in Congress and its report is likely to get attention there. This may cause Nixon and his men to come up with their own group to study problems of the economy in specific sectors or industries.

The Kaiser report. One major report—in the works 18 months—made its impact long before it was published. That's the just-issued Kaiser report (named for Chairman Edgar F. Kaiser) of the President's Committee on Urban Housing. Many of its conclusions and recommendations became law in the Housing Act of 1968 after Kaiser and other members gave the gist of their findings and conclusions to Congressional committees.

Congress adopted the committee's goal of 6-million federally assisted units for low-income and middle-income families over a 10-year period, its recommendations for interest rate subsidies; and the proposal for a national housing partnership—a new institution designed to allow large corporations to invest in city housing with tax incentives.

In addition, the Kaiser committee recommended that the federal government be empowered to preempt local exclusionary zoning ordinances and state usury and foreclosure laws on federally insured or guaranteed housing mortgages, and to acquire land to lease for subsidized housing; that the Federal Home Loan Bank Board be allowed to lend S&Ls up to $2-billion in years of severe credit shortage; and that taxes be forgiven on sale of Federal Housing Administration multi-family subsidy projects (to boost yields to the point where building the projects becomes attractive).

Clifford's last acts. A number of last-minute orders were handed down by departed Defense Secretary Clark Clifford as a result of studies made for him since he called for a commitment by the Defense Dept. to help alleviate serious domestic problems. Among other things, Clifford estimated that an additional $45-million of contracts would be placed with ghetto companies. Small businesses would qualify if they perform 25% of their contracts in or near a labor surplus area. Up to now, the level required was 30%.

Also, Clifford directed that RAND, Mitre Corp., and other Defense-supported think-tanks be urged to take on more projects for solving urban problems of housing, mass transit, and the like.

IBM girds for battle

The government's antitrust action, plus two private suits, may take years to resolve. By then the issue may be defused simply because of rapid changes in computer industry

The antitrust case that the computer industry had long expected finally materialized last week. Attorney General Ramsey Clark and his antitrust chief, Edwin M. Zimmerman, on their last full day in office filed a major antitrust action against International Business Machines Corp.

Actually, the suit was being stitched together before either man got his job. Attorneys in the Justice Dept.'s Antitrust Div. began sifting files on the industry back in 1965, and they had been itching to get into action against IBM for the past two years. They say that the civil complaint is a "classic monopoly case," the first big one to be filed since the United Shoe Machinery suit of 1947 (right).

Ironically, the investigations began when the Attorney General was Nicholas deB. Katzenbach, who was just named IBM vice-president and general counsel. Prosecution now shifts to President Nixon's new Attorney General, John N. Mitchell, and his antitrust chief, Richard W. McLaren (below).

Long wrangle. If the IBM suit was a long time in coming, its resolution probably will take even longer. This week, IBM ran defensive double page advertisements in most large metropolitan daily papers under the headline "Has IBM spoiled the computer

Nixon's antitrust chief vows firmness

The job of Assistant Attorney General in charge of the Antitrust Div. this week went to Richard W. McLaren, a Chicago lawyer with a long record of defending big companies in antitrust cases.

President Nixon's appointment of McLaren touched off speculation that the new Administration might take a soft line on antitrust policy. But McLaren, in his first public statement, said bluntly: "Republican Administrations are characterized by vigorous antitrust enforcement. The Nixon Administration will be no exception."

McLaren favors quicker resolution of antitrust cases. He feels that cases too often are bogged down by procedural details, and that judges should bring lawyers together to find an area of agreement before going to trial. If McLaren puts this philosophy to work, it could lead to settlement of more government antitrust challenges by consent decrees.

On conglomerate marriages. McLaren is expected to continue recent Justice Dept. studies of the trend toward conglomerate mergers. He says he is "very much interested" in this phase of antitrust law, where legal experts differ over whether existing laws are adequate.

The new antitrust chief has long been active in the antitrust section of the American Bar Assn., serving as its chairman last year. He worked closely with his two immediate predecessors, Edwin M. Zimmerman and Donald F. Turner, when they headed the division and also when Turner was a law professor at Harvard and Zimmerman was at Stanford.

As a partner in the Chicago firm of Chadwell, Keck, Kayser, Ruggles & McLaren, the new antitrust chief has tangled with the government on many occasions. Most recently, he argued both the Sealy Mattress and National Dairy antitrust cases before the Supreme Court, and lost both. His firm also has handled, among others, cases for 3M Co., Kraft Foods Div., and General Electric (in treble-damage suits stemming from the price-fixing case).

EQUAL OPPORTUNITIES COMMISSION
Room 413, City-County Building
Madison, Wisconsin 53702

Greg Zvio
Atty Nader

TASK FORCE REPORT:

THE POLICE

Task Force on the Police

THE PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE

A tour of Justice

*POLICE-COMMUNITY RELATIONS IN ST. LOUIS

experience report 103

NATIONAL CONFERENCE OF CHRISTIANS AND JEWS

Emory file

Criminal Rehab.

Southern Regional Council, Inc.
5 FORSYTH STREET, N. W. ... 30303
JA-4-8764

PAUL ANTHONY,
EXECUTIVE DIRECTOR

A Council to attain the ideals and practices of equal opportunity for all peoples in the South

MEMORANDUM

October 12, 1960

TO: PROFESSIONAL STAFF

FROM: JOHN O. BOONE

Request that you review the attached material which will be mailed to the Advisory Committee of the Project on Penal Reform and Criminal Rehabilitation. The Rapporteurs' Summaries will not be discussed at the Advisory Committee Meeting but hopefully, will provide the broad frame of reference that planners for a reform project need.

I would appreciate it if you would join us in a discussion of the project proposals for a short period this afternoon, before we make bold to present them to the Advisory Committee.

Thank you.

ADMINISTRATION OF CRIMINAL JUSTICE

Examination of the functional structures of correctional systems in the United States is analogous to a trip through Europe where, in traveling relatively short distances, one may encounter many different languages, types of government, patterns of culture and artifacts. In the Southern Region one finds penal systems which range from the enlightened to the reactionary, from the progressive to the mediaeval, from the humane to the brutal. Even within a single state one may observe, on one level, trends toward a system in accordance with the most progressive correctional philosophy, while, on another level, one finds hangovers from the days of degrading stripes and chains. In the same way, law enforcement agencies and the judicial process will invoke, selectively, both primitive and modern practices, the choice of treatment reflecting, in the main, the social characteristics of the community officals and/or the economic resources of the offender.

Project on Penal Reform & Criminal Rehabilitation

It is particularly fortunate that, in an area which is almost exclusively the domain of public policy and administration, the Ford Foundation has provided an opportunity for a private agency to intervene and, perhaps, make a contribution toward advancing these crucial processes. Law enforcement agencies and correctional systems, as government agencies controlled by relatively rigid public policies, are understandably sensitive to the opinions of community groups. This tendency has often been demonstrated in the wake of exposed corruption and public disorder. As responsible arms of public policy, the systems are able to innovate only within the limits imposed by laws which govern their operations. A private agency that is not bound by official restrictions and the burden of tradition can offer assistance to correctional administrators and interested groups of citizens who desire to implement reforms, conduct pertinent research and institute programs designed to bring about constructive change in governmental systems and new approaches to dealing with crime and delinquency.

Advisory Committee

In order to develop a creditable three year program, reconciling philosophy and feasability as much as possible, we have convened a group of knowledgeable persons broadly representative of society's institutions, who are acutely interested in the social task of coping with the problems presented by violations of societal mores.

The following propositions are submitted primarily to stimulate your thinking and give some direction to our meeting. They are not meant to imply that we are committed to carrying out any particular proposal, except for the initial survey that is already underway.

A. Southern Regional Council Special Report: The Prevention of Crime and Treatment of Offenders in the Southern Region (to be published this year.)

This will be a state-by-state survey report describing the current situation of crime prevention and corrections in the South. Dr. Vernon Fox and associates at Florida State University's Department of Criminology and Corrections and SRC staff members are assisting us in this publication. The report will describe: racial integration; philosophy of corrections; manpower utilization and needs; comparative financial resources and expenditures; physical plants and facilities, including farms and industrial operations; treatment programs, both community and institutional; classification systems; parole policies and practices; facilities for post-release assistance and community treatment centers; institutional populations and patterns of recidivism; nature of professional staffs. Similar analyses will be made of law enforcement agencies and courts, to a limited extent, to determine any new developments stemming from recent legislation and court decisions. The survey will be based on official reports and inquiries, other publications, and observations of authorities in the field.

The survey will provide both a vehicle for public education and a basis for the project's programs.

B. Research Conference: While no one can be certain that any particular research project will produce practically useful results, we would like to be sure, at least, that our projects will be pertinent to the problems of the Southern Region. One means of providing this assurance would be to bring together a small group of academicians of the region, under the leadership of a nationally known social scientist, for the purpose of presenting papers and designing research that we could practically pursue. Such a conference would have the added advantage of providing a needed forum for ideas of regional rather than national interest. Such ideas are often neglected at more broadly based meetings. Another approach would be to select research without formally weighing its value relative to regional concerns, and some suggestions are proposed in this outline.

C. Other Research:

1. A study to determine whether underdeveloped correctional systems consistently make for a higher rate of recidivism than systems considered more progressive.

2. Up-date comparative sentencing study done by SRC in 1954 - referring to both the Garfinkle and Foley studies. Each of these studies pointed to significant disparities between the nature of sentences for Negroes and white persons. Have these practices changed during the period since 1954 - the year of the Supreme Court decision relative to school desegregation?

3. A candid review of industry's attitudes toward the employment of persons with records of crime and delinquency. Is there a need for a more concerted public or private project to encourage industry to use this manpower more appropriately, somewhat in the manner of the "Hire the Handicapped" program.

4. Study how Negroes use correctional services. (Could be part of study of underdeveloped systems.)

5. Study effectiveness of the North Carolina Plan (such a study may already be underway.)

6. Demonstration Project in an urban area, focused on crime and delinquency, and utilizing multi-method techniques involving public and private agencies and graduate schools. Such a project would be accompanied by a research and evaluation instrument.

7. Report on institutional visiting (prisons, jails, training schools, etc.) by small teams of women - utilizing a modified John Howard approach.

D. Public Education:

1. Supportive work with human relations groups and The Fellowship of the Concerned, throughout the southern region, as they demonstrate interest in the administration of criminal justice.

2. Prepare legislative handbook, summarizing the codes under which corrections operates, state by state, pointing out apparent weaknesses, making use of accepted standards by the National Council on Crime and Delinquency or the American Correctional Association. The book will be distributed to public and private agencies, legislators, and interested groups.

3. Prepare booklet on the administration of criminal justice for use in public schools, in order to encourage wider acceptance of this process as a normal function of social welfare. It has been proposed that this be done in cooperation with the Joint Commission on Correctional Manpower. (The approach would be to influence attitudes toward corrections as a career and as a helping agency, mainly through the creative presentation of case materials.)

E. Direct Action:

1. Consultation Service. Secure a panel of knowledgeable professional correctional workers and facilitate its use by systems in the region. Organizations and groups could secure our support through regional conferences and their own action groups. This program would provide for fees and expenses for consultants and technical advisors.

2. Technical Advice. As far as possible, the project staff would provide technical advice concerning correctional procedures, training, and new programs and policies.

3. Would a Regional Conference on Racial Integration in Prisons provide significant support for state efforts in this area? While a policy of racial integration would require the repeal of restrictive statutes in many states, a conference on the problems and processes of integration which are peculiar to correctional systems might serve to alleviate the anxiety of administrators concerning the effects of desegregation in their prisons. Would a sharing of experiences by those who have already effectuated integration be helpful? Another idea would involve an even larger conference, co-sponsored, perhaps, by such organizations as NCCD and ACA, for all interested managers without considering regional limitations.

4. Provision of resource material to public and private agencies, groups and individuals. For example, some Human Relations Councils will receive copies of Ferguson vs. Buchanan (which resulted in desegregation of the Dade County Jail). This will be used as the Councils urge officials to begin to desegregate. Also, films and other learning aids would be used in this program.

5. Cross-fertilization of ideas and programs. This program would facilitate an exchange of top-level and middle-management administrators of criminal justice in the region. Pro-

perly implemented, such a program could encourage the spread of progressive correctional principles in day-to-day operations.

6. Recruitment of Negroes for Correctional work. Studies reveal that very few Negroes are employed in correctional administration. (This could be an area for significant research). Would schools and agencies be benefited by a private recruitment service?

7. Training for correctional work. How could a private agency assist in this endeavor?

8. The procedures by which society deals with delinquent or criminal behavior are often themselves causative factors in later offenses. A study of the background and characteristics of men who have histories of Dyer Act violation (Interstate Transportation of a Stolen Motor Vehicle) should throw some light on this hypothesis.

General Observations

Preliminary observations through travel and correspondence would seem to indicate that, while there are many serious problems - including the continued commission of atrocities in some penal systems - the situation is somewhat more encouraging than anticipated.

Florida has integrated all of its institutions and has invited us to visit the system. Whether this alleged integration, however, is token or real, remains to be seen.

There has been some integration in North Carolina, South Carolina and Georgia (the Girls" Training School in Atlanta), and some degree of integration must be assumed in all institutions which have accepted Federal grants (including Draper Prison in Alabama.)

Personnel changes in the Arkansas Correctional System in the wake of the recent lashing publicity, while sadly belated and totally inadequate, nevertheless represents some small improvement.

Many top-level correctional administrators in the region privately reveal an unexpectedly progressive orientation. This leaves room for hope that state correctional systems will be willing to accept help and at least entertain suggestions for specific changes.

In sum, there is considerable reason to believe that this project, through the judicious extension of grants and technical assistance for specific projects; initiation and support of basic research in neglected areas; organization and encouragement of groups working for the passage of sound reform bills in state legislatures, and the wide dissemination of information about corrections and the processes of criminal law at meetings and through the mass communications media, can make a substantial contribution to the upgrading and increased humanization of all of the processes in which the criminal offender is involved, before, during and after imprisonment.

~~Para~~ Penal Reform E. Via

SOUTHERN REGIONAL COUNCIL, INC.

PENAL REFORM AND CRIMINAL REHABILITATION PROJECT

ADVISORY COMMITTEE MEETING

BILTMORE HOTEL

ATLANTA, GA.

OCTOBER 20, 1966

S C H E D U L E

Coffee	from 9:00 am
Opening Session	10:30 am
Luncheon	12:00 Noon
Afternoon Session	1:30 pm
Refreshments	4:15 pm

Paul Anthony
Executive Director

John Boone
Project Director

William Farmar
Assistant

18

P A R T I C I P A N T S

✓ Myrl E. Alexander, Director
Federal Bureau of Prisons

Edith Barksdale
U S Civil Rights Commission

✓ Homer Benson, Member
U S Board of Parole

✓ V Lee Bounds, Director
North Carolina Prison Dept.

Richard Chappell
Institute of Government
University of Georgia

✓ Cleveland L. Denard, Principal
Carver Vocational School

✓ E. Albion Ferrell, Chaplain
Howard University

Joseph E. Haas, Attorney
Member, Southern Regional Council

✓ Mrs. Grace Hamilton, Director
Atlanta Youth Council
Member, SRC

Donald Hollowell, Attorney
Member, SRC

✓ Dr. William Jackson, Dean,
Atlanta University School
of Social Work

✓ Ellis MacDougall, Director
South Carolina Department
of Corrections

✓ Sylvan Meyer, Editor
Daily Times, Gainesville, Ga.
Member, SRC

✓ C.H. Parrish
Professor of Sociology
University of Louisville

John Pennington, Columnist
The Atlanta Journal

✓ George Randall, Director
Oregon Dep't. of Corrections

✓ Jacob M. Rothschild, Rabbi
Member, SRC

✓ E. Preston Sharp, Gen. Secretary, Amer. Correctional Ass'n.

✓ Stewart Warner, Staff Conslt.
Nat"l Council on Crime & Del.

"A" mtg is available

✓ Raymond M. Wheeler, M.D.
Member, SRC

✓ Josephine Wilkins
Member, SRC

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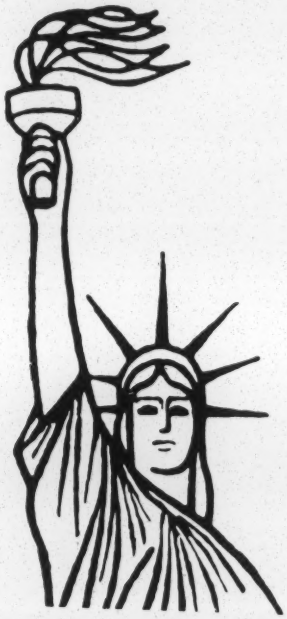
Messrs. Austin MacCormick, Ralph McGill, McNeill Smith, Burt Struby, John Wheeler, and Mrs. Barbara Jordan, are also members of the Advisory Committee, but are unable to attend this meeting.

Proposed Hearing — Draper Correctional Inst. in Ala. — also integrated —

Atty. of Justice



Know Your RIGHTS

SRC — Admin of Justice

STATEMENT OF JOHN O. BOONE, DIRECTOR
PROJECT ON THE ADMINISTRATION OF JUSTICE
SOUTHERN REGIONAL COUNCIL

before the

SENATE SUB-COMMITTEE TO INVESTIGATE JUVENILE DELINQUENCY
July 9, 1969

Mr. Chairman, it is a pleasure to appear before the Sub-committee. Let me open my testimony by stating that the public does not know what is going on in its prisons. This public ignorance and indifference has made corrections, and particularly the institutional setting, a prime source of corruption, political intrigue, and human degradation.

Furthermore, let me stress that the poor administration of criminal justice itself is more responsible for disrespect for the law in this nation than any other single social system. I believe it is more devastating than the home and the family that are usually blamed.

Mr. Chairman, men in prison are a sophisticated lot and they grow more sophisticated as they continue to be confined in these institutions of higher learning in crime and deviance in general. Most of these men have been aware of injustices and corrupt practices from childhood. They do not believe that fair play exists -- they are fearful, suspicious, and generally anxious. These attitudes have been transmitted to them in no uncertain terms through their personal environments and experiences. These men have learned that

Aug 18, 1969

Arkansas

RESPONSE

to

RECOMMENDATIONS AND DEMANDS

made by

THE COMMITTEE FOR PEACEFUL CO-EXISTENCE

BEST COPY AVAILABLE

Chapter 2

STATEMENT BY GOVERNOR ROCKEFELLER
August 18, 1969

On Friday, August 15, 1969, at approximately 5:30 p.m., I met with Rev. Cato Brooks and the Rev. J. F. Cooley in Forrest City. At that time, Rev. Brooks handed me three separate documents captioned as follows: (1) "Demands"; (2) "Recommendations"; and (3) "To the Governor of Arkansas". Copies of these documents are attached.

Dr. John Peterson and I looked through these documents at the time they were presented. It immediately became apparent that it would be impossible to properly and adequately analyze the various demands and suggestions on the spot. Therefore, as soon as I returned to Little Rock late Friday evening, I made arrangements to have these documents reviewed and analyzed by department heads and specialists in the various subject-matter areas referred to in the three documents.

On Saturday, each of these department heads and specialists were contacted, and each was asked to review the documents and provide me with a short statement setting forth the facts and current developments in order that I might be fully informed and, in turn, might accurately answer the various demands and recommendations submitted by Rev. Brooks. Representatives not only of State government but also of certain departments of the Federal government were contacted.

On Sunday afternoon, August 17, 1969, these persons prepared and submitted statements covering their areas of responsibility and concern. Attached hereto will be found copies of those statements, which, taken together, will provide Rev. Brooks, Rev. Cooley, and all other interested persons with useful and helpful information not only on the status of present programs in each area, but also with respect to future action contemplated in each area. These include statements by Mr. Arch Ford, Commissioner of Education; Mr. Len Blaylock, Commissioner of Public Welfare; Col. Ralph Scott, Director of the Arkansas State Police; Mr. John Hickey, Director of the Commission on Crime and Law Enforcement; Mr. Jodie Anderson, as the representative of Mr. Robert L. Hankins, State Director of the Farmers Home Administration (a Federal agency); Dr. Clyde Hart, State Office of Economic Opportunity Director; Mr. Earl D. Wells, as the representative of Mr. C. W. Ferguson, Regional Director of the Small Business Administration (a Federal agency); Dr. John Peterson, Administrator of the Employment Security Division;

Dr. Winston Beard, Executive Director of the Arkansas Planning Commission; Col. Herbert Reinhardt of the State Revenue Department and Mr. Ward Goodman, Director of the State Highway Department.

Many other individuals were contacted informally for additional information, and I wish to thank all of them for their willingness to assist me over the weekend in our effort to provide Rev. Brooks, Rev. Cooley, and all other concerned citizens with as much information as possible. Further inquiries have been made, and will be made, to Federal, State and local authorities for the purpose of providing even more information in the near future.

The information contained in the attached statements, and in the summary below, will, I believe, convince all fair-minded persons that an honest and good-faith effort is being made to meet and deal with the serious problems referred to in the three documents handed to me Friday afternoon. There is, however, no room for complacency. I believe the citizens of Arkansas, black and white, have the right to expect much greater progress in many of these areas in the months ahead.

# # #

An effort has been made to review and comment upon each separate subject mentioned in the three documents. I believe it may be of some assistance if I summarize by first quoting from the various documents and then providing such facts and comments as I think might be helpful.

SUMMARY

1. "We regret, however, that your office does not have a program of action by which to change your good faith into action". (First paragraph, "To the Governor of Arkansas").

Comment: It is not my intention in this statement to review my efforts, and those of my administration, to achieve equality and justice for all citizens of our State, black and white. At this point, it is enough to recognize, and to state publicly, that not enough progress has been made. So, rather than to dwell upon past accomplishments--and there have been many--it is better at this time to seek ways and means to make more progress--urgently needed progress--in the immediate future.

2. "We also regret that the legislature has not seen fit to establish a political and social system which is truly democratic and just".

Comment: The last session of the General Assembly did repeal the blood labeling law, and it did enact a rather limited "Jury Wheel" statute. It failed to give a statutory basis for the Governor's Council on Human Resources, and it failed to pass a Public Defender's act, as recommended by the Arkansas Bar Association. I am convinced, however, that the members of the General Assembly are becoming more aware of their responsibility in these critical areas.

3. "Our goal in St. Francis County for now is for 57 per cent of the good housing, good jobs and political representation on the local, county and state levels".

Comment: Most of the relief which can be obtained in the housing area involves cooperation between the federal government and instrumentalities of local government. Forrest City has a program in effect that will make it eligible for federal assistance in housing. It has a housing authority. This housing authority has

an application for 200 units of public housing already approved, one-half of which will be for the elderly, and one-half for rental-supplement. These units should be completed within 10 to 12 months. One hundred fifty turnkey public housing units have been approved and will be constructed by the housing authority within that same period. Ninety-four units of FHA sponsored housing are being planned by a local developer and the FHA has given tentative approval of the program. Twenty of these will be rental-supplemental. I draw your attention to the attached memorandum prepared by the Arkansas Planning Commission and particularly the comments under "701 Comprehensive Planning".

With respect to state jobs, I draw your attention to the attached statements by various government agencies.

In my opinion, significant, but inadequate, progress has been made in the employment of blacks in state government. In our fragmented state government, much of the responsibility for progress is under the control of independent commissions and agencies. The Governor's office has on several occasions called together the heads of all of these departments, commissions and agencies in an effort to convince them of the need for progress in this area.

In Forrest City there has been progress in the private employment area. For many years, manufacturers there have operated on an integrated basis, providing many good-paying jobs. In recent months, there has also been some success in the employment of blacks in many small retail and service establishments. Unfortunately, displaced farm workers from rural areas are being attracted to Forrest City faster than new jobs are being created. The local ESD office has committed itself to make every effort to place Negroes in jobs whenever possible.

With respect to "political representation", I can only say that this will come through political action, educational programs, reform legislation, and voter registration drives. It may also depend, in measure, upon the success of efforts to reform our State Constitution. I am thinking particularly of the need for single-member legislative districts, such as has been recommended by the Constitutional Convention which is presently meeting in Little Rock.

4. "Total integration in all schools; fairness to all students in grading; participation in school activities;"

Comment: I draw your attention to the exhibit attached to Mr. Arch Ford's report, showing the "Desegregation Status, Arkansas School Districts, August 1, 1969". The responsibility here lies with the individual school boards in the nearly 400 school districts in Arkansas. However, it is incumbent upon the Department of Education to give leadership in this area. The federal government, through its control of federal funds, can, and should, also exercise such leadership.

5. ". . .abolition of discriminatory arrests and charging procedures and practices by police officers; abolition of unfair bail bond procedures; state provided counsel for indigents in all criminal offenses; fair trials by fair judges;"

Comment: I draw your attention to the report of Col. Ralph Scott, which is attached hereto. I am pleased with his statement that "discriminatory arrests and charging procedures by the Arkansas State Police will not be tolerated". It is the responsibility of our county sheriffs and our municipal police to adopt and enforce rigid standards in this connection. Training programs such as those mentioned in the attached report, "Commission on Crime and Law Enforcement", will do much to improve the situation. Nevertheless, I am convinced that this is an area where serious abuses still occur. It is my hope that the Judicial Council of the State of Arkansas and the state and local Bar Associations will join with local and county officials in abolishing all discriminatory practices in the area of law enforcement. We will not have "law and order" until we have just and fair law enforcement.

Unfair bail bond procedures must be done away with promptly if our citizens are to have respect for the law. The bail bond requirements fall unfairly upon the poor and, in most cases, are not needed to insure court appearances. An effort has been made in Pulaski County to provide for release on recognizance without the necessity for bonds in misdemeanor cases. The Bar Association should take the leadership in the effort to reform our state laws in connection with bonding procedures.

Our federal constitution requires that counsel for indigents be provided in all serious criminal cases. In my judgment, this

responsibility should be met through a Public Defenders system such as that proposed to the last General Assembly by the Bar Association. If a special session of the legislature is called, I shall give serious consideration to including this item in the call. Some of our legislators attended the Public Defenders Conference in Washington, D. C., earlier this year. They will, I trust, provide leadership when this matter comes up again.

With respect to "fair trials by fair judges", I can only say that this is the responsibility of the judicial branch of our government.

I believe that we can count on the judges of our Supreme Court, and of our circuit and chancery courts, to carefully review all complaints relating to unfair trials. I also believe that they will exercise the needed leadership to insure that proper demeanor is maintained in the courtrooms of our state and that all persons before the bar of justice will be treated with dignity and respect.

6. "We strongly suggest that the State OEO Office work with the Committee for Peaceful Co-existence to develop experimental economic programs that will be controlled by the Forrest City organization and not the State OEO." ("Demands")

Comment: The state Office of Economic Opportunity would welcome consultation with the Committee for Peaceful Co-existence with the objective of developing experimental economic programs. The Nixon administration has recently announced its intention to concentrate on experimental programs. I have requested the director of the state OEO to determine what new programs might be initiated in Eastern Arkansas within the next 12 months.

As pointed out in the statement of Dr. Clyde Hart, which is attached hereto, the local Community Action agencies have the option of sponsoring all OEO funded programs in the area. The CAP organization in the Forrest City area is headed by Mr. John Clark, a Negro, and there is minority representation on the board.

In fiscal year 1969-70 the East-Central Arkansas Economic Opportunity Agency will receive in excess of one million dollars.

A planning development program, in line with the new position taken by President Nixon, was initiated by the state OEO on August 1.

It is designed to develop a way of involving the poor in planning for the utilization of economic and human resources in the state.

I would like to point out that seven members of the 16-man OEO state staff are black. Four of these seven earn in excess of $10,000 per year.

7. "We strongly suggest that the St. Francis County Employment Security Division director be replaced by a young black man who is sensitive to the needs of the black community and not controlled by any political group."

Comment: In meeting with the state employees in Forrest City last Friday I admonished them to be more sensitive to the needs and dignity of black individuals they are serving. In the following meeting with the Committee for Peaceful Co-existence I indicated that individuals employed under the merit system could not be fired without testimony and factual evidence being presented to substantiate serious wrongdoing. However, I said that I would consider transfers in borderline cases. At the present time, however, I have received no specific charges indicating actions against particular individuals are needed.

8. "We strongly suggest that the St. Francis County Employment Security Division director be replaced because of his policy of discriminating against black applicants and that his replacement be a young black man or woman who understands the needs and problems of poor people."

Comment: While there undoubtedly has been a long history of discrimination against Negroes in employment, the situation is rapidly improving. The ESD reports that during the first half of 1969 Negroes represented 52 per cent of all job applicants at the Forrest City local office and received 48 per cent of actual placements on jobs.

While the Forrest City local office at present has only one Negro among its 11 employees, other ESD programs in the city are hiring five other Negroes. Since our talks in Forrest City, the ESD has made arrangements to promote and transfer two additional Negroes to the local office.

9. "We strongly suggest that a comprehensive job training program be set up to train blacks in the Eastern Arkansas Black Belt area and that this program must not be politically controlled as is the Concentrated Employment Program (C.E.P.)."

Comment: The ESD already is operating a concentrated employment program (C.E.P.) in 14 counties of Eastern Arkansas. Their statement concerning this program suggests that they recognize certain mistakes in its first year of operation. The attempt of a subcontractor to train workers for certain local government jobs may have given some basis for the implied criticism. However, the emphasis since July has been more in the direction of private industry jobs.

In response to the suggestions in points seven and eight above, the ESD will now place a Negro in charge of the C.E.P. program in the Forrest City area. Additional Negroes will be hired in that program, and the personnel in the C.E.P. program in other cities in Eastern Arkansas will now be reviewed.

I would like to point out that these changes are being made under the condition of normal merit system procedures, and the individual being given promotions and assignments meeting the appropriate qualification standards.

10. "We strongly suggest that all State Agencies that operate in Eastern Arkansas begin to immediately hire blacks in white collar jobs and high paying jobs until at least 50 per cent of those employed in these positions are black."

Comment: The statements of various state agencies operating in Eastern Arkansas indicate that they already are making every effort to hire blacks in white collar jobs wherever they meet the professional qualifications or merit system requirements. I would like to point out that progress in this area must be measured in terms of the proportions of new employees hired rather than in terms of the proportions of total employees already employed. We have a long history to correct and the proportion changes slowly when the turnover is small.

For example, the ESD reports a total of 51 Negroes among their 634 employees statewide. Yet, only 11 of these 51 Negroes had started their employment prior to my administration in 1967. A number of these Negroes have been promoted to higher grades, including the third highest grade in ESD. New entry level jobs have been defined by ESD so that more Negroes can qualify.

Likewise, the State Revenue Department reports that only 31 of its employees are Negroes. But this represents 5.3 per cent of employees, compared to two and one-half per cent at the end of 1966. Half of the Negro employees are in clerical jobs, and one is a supervisor. Lack of qualified applicants hinders the hiring of more Negroes, and recently a reduction in total jobs in the Revenue Department resulted from reduced funding by the General Assembly.

A study is being made of merit system examinations and recruiting procedures to see if unnecessary barriers can be removed. Also, I recently appointed a Negro as one of the members of the Merit System Council.

11. "We strongly suggest that the Governor show his good faith by raising funds to organize a black-owned industry which will train and employ the displaced farm workers of St. Francis County."

Comment: I already have expressed my personal interest in the organization of black-owned industry. I pointed out to you that a new insurance company was started in Little Rock last week that has a mixed black and white ownership and I have suggested that you might contact Mr. Sam Sparks regarding some of the opportunities and problems in establishing black industry. Also, I am asking the Arkansas Industrial Development Commission and the University of Arkansas Industrial Research and Extension Center to provide you any advice and assistance possible.

12. "We strongly suggest that the Small Business Administration, Farmers Home Administration and other programs of the Department of Agriculture make loans available to the low income community of St. Francis County. We also strongly suggest that this be done with a minimum of red tape."

Comment: I have contacted both the Small Business Administration and the Farmers Home Administration regarding the availability of loans for low income groups in St. Francis County. The state offices of those two federal agencies responded this weekend with special statements regarding their programs, and I refer you to those statements.

13. "We strongly suggest that the Welfare Director of the St. Francis County Welfare Office be fired for her improper treatment of black applicants and recipients. We also demand that those county social investigators in the Welfare Office who have been accused of humiliating black people also be fired and replaced by black workers."

Comment: I will be happy to discuss with Mr. Blaylock any specific charges against any welfare employee anywhere. I know that no citizen would expect me to fire any state employee on the basis of general and undocumented charges. I am advised by Mr. Blaylock that Mr. Calvin Stackhouse, the present welfare director for St. Francis County, is new, and his office has not yet been fully staffed. Mr. Blaylock has further advised me that he will bring to the attention of all Welfare Department employees the possible consequences of failing to comply with the Department's published orders, which require employees to treat all welfare clients with dignity and respect.

14. "We strongly suggest that until the food stamp program is replaced by cash grants, the welfare office make the food stamps available free to any family of four with an income of less than $200 per month."

Comment: There is no authority under present circumstances for the Welfare Department to comply with this suggestion. There are no state funds available for the purchase of food stamps. The state funds which were provided were to cover the cost of the administration. It is important to note that the U. S. Department of Agriculture controls the food stamp programs. The Welfare Department merely certifies eligibility and sells the stamps.

As noted in the attached memorandum on "Welfare", Mr. Len Blaylock agrees that there are many deficiencies in the food stamp program. His recommendations for reform have been brought to the attention of the U. S. Senate.

I would like to call your attention to President Nixon's recent speech proposing reforms in the current welfare programs. Everyone recognizes that there are major deficiencies in the welfare system that leave many poor people ineligible for assistance and provide no incentives for poor people to seek reemployment. President Nixon has suggested that a basic family assistance payment be federally funded for all low-income people and that training opportunities be provided for those who are capable of working. Of course, the program is complicated and the President's proposals will be much debated in the near future; so I am making available to you a copy of the President's proposals for your careful study.

15. "We strongly suggest that the St. Francis County Welfare Office stop discriminating against the black community in the size of welfare grants. We strongly suggest that the grants be made on the basis of need and that the Welfare Office stop cutting off welfare assistance on the basis of heresay information."

Comment: I am informed that the Welfare Department will not tolerate such abuses as those mentioned above. If there is such discrimination, it is contrary to the laws, policies, and orders of the Welfare Department. If evidence is brought to the attention of the Director of the State Welfare Department of such offenses, they will be thoroughly investigated and appropriate action promptly taken. Here again, no action can be taken in the absence of specific charges and concrete evidence.

16. "We strongly suggest that the State Police hire more black state troopers and station at least 25 in Eastern Arkansas."

Comment: Col. Ralph Scott, Director of the Arkansas State Police, states in the attached memorandum that additional black troopers will be hired pursuant to the provisions of Act 616 of 1969. That act limits the Arkansas State Police to 268 troopers. Although there are very few vacancies, the Arkansas State Police is soliciting applications from black candidates who are willing to serve in East Arkansas.

17. "We strongly suggest that black veterans returning from Viet Nam be hired as state troopers and that tests and qualifications and standards be set aside if the veterans have military police experience in the Armed Services."

Comment: The Arkansas State Police gives preference to veterans of the Vietnam war, black and white. Black veterans are encouraged to submit applications. Where they do not meet present standards, an effort will be made to qualify them through training programs.

18. "We strongly suggest that city governments in Eastern Arkansas hire black policemen who are sensitive to the problems and needs of the community and that these policemen be given the same responsibilities, duties and salary as the white policemen."

Comment: The Governor's office and the Arkansas State Police will make every effort to encourage all municipalities, not only in Eastern Arkansas, but throughout the state, to hire black policemen. There is a growing awareness among the leadership in our municipalities of

the need for black officers. The key to this employment opportunity is to be found in education and training programs. I shall explore with the Director of Education and with the Arkansas Law Enforcement Training Academy the possibility of initiating programs which will qualify candidates for such employment.

19. "We strongly suggest that the offices of county, city, and regional prosecuting attorneys recruit and hire black attorneys throughout the counties of Eastern Arkansas."

Comment: The competition for black law school graduates is very intense throughout the nation. Still, many of these black attorneys will sacrifice greater economic possibilities in favor of public service in the offices of our prosecuting attorneys throughout the state. I urge the Prosecuting Attorneys Association and all individual prosecutors to engage in an active recruitment program in an effort to attract black attorneys and black law school students to this type of service. I personally will make an effort to place any qualified black lawyer if his availability for such service is brought to my attention.

20. "We strongly suggest that the courts of Arkansas provide justice for Arkansas black citizens."

21. "We specifically demand that the courts of St. Francis County and Forrest City provide equal justice for her black residents."

Comment: As stated above, I will attempt to enlist the support and leadership of the Bench and Bar of the State of Arkansas to the end that we will have true justice for all, black and white, in Arkansas. As it should be, the judicial branch of our government is completely independent of the executive branch. I am confident that the Judicial Council and the Bar Association are now aware of this problem and are willing and able to face up to their responsibility.

22. "We strongly suggest that Arkansas stop playing politics with the development of economic and social programs that are introduced into the state."

Comment: In order to deal with problems of this type, it is essential that we have specific information.

23. "We strongly suggest that the Federal Government and State of Arkansas work with the counties and cities of Arkansas as well as the citizens of these areas to develop housing programs that are responsive to the needs of the community."

Comment: See discussion above.

24. "We strongly suggest that the elementary schools, junior high schools, high schools and colleges in Arkansas develop comprehensive black history and black culture curriculum for use in all of her institutions and schools."

Comment: I am advised that our universities and colleges are exploring the introduction of black history and black culture courses into their curricula. The University of Arkansas has moved well along into planning for such programs. I draw your attention to the comments of Commissioner Arch Ford in the memorandum attached hereto with respect to the offering of such courses in the areas of elementary and secondary education. Local school districts control curricula at the junior and high school levels. The state is powerless to require any specific course. Commissioner Ford suggests that a better approach would be to include black history and black culture in existing courses through the use of related materials in the various fields having to do with ethnic groups. To this end, the State Department of Education has completed a bibliography which is being made available to all school districts.

25. "We strongly suggest that the school districts of Arkansas stop firing black teachers when schools are consolidated."

26. "We strongly suggest that the state Department of Education take action to prevent the firing or displacement of black teachers."

Comment: Salaries of Negro teachers have been equalized for almost every school district of the state. Commissioner Ford states that he agrees fully with those who object to the discharge of any teacher because of race. School consolidation has resulted in the elimination of both black and white teachers. I am encouraging the Department of Education to make a special study of this problem and to report to me its findings.

27. "At the present time the county judge and the juvenile court judge are the same persons. Recommendations--that these administrative offices should be separate and distinct with a skilled specialist on juvenile psychology as well as some one who is well grounded in law to serve as the juvenile judge."

Comment: I could not agree more that the juvenile judge should be a licensed attorney and a person with a background and knowledge to administer our juvenile laws with a fair and impartial hand. The juvenile court was established by legislation in 1911 and, with only two minor exceptions, has not been changed since that time. I can assure you that I will work toward the establishment of professionalism in the juvenile courts as you have suggested. This matter is being considered by the Constitutional Convention, which is now in session. If a proper solution is not suggested by the Convention, then I will consider drawing legislation that will make the needed change.

28. "We recommend that those families made $3,000 or less be given the privilege of having food stamps without cost to them, or to the members of their families, in as much as this is a sub-standard living level and $3,000 is almost in the midst of poverty."

Comment: The food stamp programs were discussed above.

29. "We request that money be appropriated by the business community of not only Forrest City, but the entire state for the development of black businesses with in every community in the state. This is encouraged and justified simply because in most of the cases where there are now thriving well-to-do, or wealthy persons, they in effect, remain aloft from the problem of race relations and civil rights. These persons have made their money through the exploitations and the efforts of the black man, and we are not merely asking for a handout, but for a partial payment for the blood, sweat, and tears that the black man has put into the state and that the so called system of justice be restructured such that a random selection of jurors be instituted. This is justified simply because the epitome of the ideal of justice is: that representation of any segment of any community would be proportionate to the number of persons living within that community as compared to those that live within the total community. It should be mandatory that all policemen meet

psychological specifications regarding temperament, attitude toward law-breakers and that they understand the concept that they are enforcers of the law and not makers of the law. We should like to add that we realize that training can not be instituted tomorrow, therefore, we call for a complete purge of all police departments of racists and red necks. And that black policemen be hired and given the same pay and responsibilities of the white policemen."

Comment: This recommendation covers the areas of black businesses and economic activities; random selection of jurors; qualifications and employment opportunities of law enforcement officers.

I am thoroughly convinced that black entrepreneurs will have no difficulty in finding resources for attractive business opportunities. I am encouraged by the developments in Pulaski County. Although I do not agree with the "reparation" or "indemnity" theory, I am certain, businessmen being businessmen, that feasible and well-thought-out programs will attract the necessary capital, not because of any moral obligation based on past injustices, but because of the potential and merit of the proposal.

I have already commented on the Jury Wheel above, and I have discussed the opportunity for employment by our state and local law enforcement agencies.

As pointed out by Col. Ralph Scott, the above recommendation in regard to the psychological qualifications for police service simply points up the need for complete professionalism in this area. To attract many more fully qualified persons will require higher salaries and better training. The process can be aided by legislation establishing minimum standards for police officers.

30. "We recommend housing be provided in communities across the state that have a number of people who make $3,000 or less and that this housing be provided in such a way that it serves to bring the total community together should be situated in strategic places that will be accessible to both whites and blacks in order that the proper climate of communication can be established and that the full integration of an open society can be more approximately achieved, that the construction of schools and the implementation of the 1954 decision regarding segregation in public school be made a reality. In terms of construction we would require that schools be situated like new housing units in the middle or in the center of both black and white communities such that they remain accessible to both communities thereby promoting the elimination of the dual system rather

than perpetuating the old separate but equal order. We will also encourage that the results of achievements of black students be brought in line and in level with the results and achievements of white students."

Comment: The housing problem has been discussed above. The problem of fully integrated housing is one of national concern. It is probably the most difficult of all to solve over the short term. The programs of the federal government are most likely to be effective in this area. The problem is best attacked indirectly by equal job and employment opportunities. When blacks and whites share equally in the fruits of our economy, the problem of integrated housing will be much easier to deal with.

31. "We highly urge that single member districts be formed for the election of all public officials to public bodies. This goes not only for those in the state legislature but those persons who are elected to represent constituencies in local government and that these constituencies become a part and a singular expression of the one man one boat principle."

Comment: I am in favor of single-member legislative districts. I note that the Constitutional Convention has also gone on record in favor of this plan. Last week, that same Convention adopted a provision which would require that a majority of board members or aldermen in cities with populations in excess of 10,000 be elected from districts. These decisions reflect an awareness of the need for a more participatory democracy. When such officials are elected at large, the effect frequently is to deny minority groups any direct representation. I agree with the merits of this recommendation.

32. "We recommend that all state employees, especially the Arkansas Highway Department employees, have a percentage of minority group representation more in line with the population in porporation according to the 1960 Arkansas census. We want to reiterate that qualifications is no excuse, any system where eight white people pass the test and only three negroes pass the test is an invalid system because it automatically assumes that black people are inferior."

Comment: I do not agree that the hiring of state employees should be based precisely upon racial percentages. On the other hand, where employment is not roughly reflected in the make-up of our society,

the employment practices are subject to question. I have discussed the employment of blacks in state government above. I would like to point out that the Arkansas State Highway Department is, under our present constitution, a completely independent agency within the executive department. It is not under the control of the Governor's office. Nevertheless, I have brought these problems to the attention of the Arkansas State Highway Commission. Mr. Ward Goodman, the Director, has prepared a memorandum which is attached to this summary. I note his statement that, "Recruiting efforts in this regard will be increased with special emphasis being given to employment of minority groups". Mr. Goodman has further pointed out that the need for additional employees for the Highway Department is seasonable. It will decline through the next few months and pick up again in the spring of 1970.

33. "As a part of our system to insure that all men are innocent until proven guilty, we recommend that bail be eliminated for persons commiting misdemeanors. In addition, we strongly urge that significant studies be made by qualified individuals, and when we say qualified individuals, we mean individuals who have the ability to preceive what the system has to offer. We urge that studies be made to determine whether or not bail can be eliminated for some felonies."

Comment: I have already discussed this provision above. I agree with this recommendation and I urge that the suggested studies be made by the Bar Association and the Judicial Council to the end that significant reform be made in this area.

TO THE GOVERNOR OF ARKANSAS

When we last met, I agreed to set out to you in writing the position of our organization about the Conditions in Forrest City which we complained about and sought to change. I also agreed to let you know about some of our specific demands. Since that time our organization has decided that in meeting with us, you are acting in good faith as the Governor of all the people. We regret, however, that your office does not have a program of action by which to change your good faith into action. We also regret that the legislature has not seen fit to establish a political and social system which is truly democratic and just. Their silence in the wake of the turmoil and injustices around us is a sign to us that they are committed to maintaining the status quo - at all costs - and thus to keep the "East Arkansas Niggers" in their place.

Our emphasis today is equality in all areas of human life for us blacks, and poor whites as well, although they do not appear to realize that they are no better off than us blacks when it comes to sharing equally in the fruits of our so-called democracy. We therefore, submit our goals but can not be specific and narrow, but rather broad and general. (1) Our goal in St. Franci County for now is 57% of the good housing (2) good jobs and (3) political representation on the local, County and State levels; Total integration in all schools; fairness to students in grading; participation in school activities, etc.; abolition of discriminatory arrest and charging procedures and practices by police officers; abolition of unfair bail bond procedures; state provided counsel for indigents in all criminal offenses; fair trials by fair judges; good housing at reasonable cost for low income people which is capable of being purchased by such people and which is dispersed throughout the total community; legislation requiring direct election on a population basis of school board and city government officials, and the removal of veto power from the hands of white people over the representatives of black people, etc. Our goals listed above are not a complete listing but rather suggest the approach we shall follow for a short time to gain justice and equality.

By way of demands, we make no specific ones at this time, rather we strongly suggest the following in the expectation, that some of them will be promptly accepted and implemented as evidence of the states good faith and intentions to eliminate racial and economic discrimination and poverty. We shall wait one more time, but not for years or for a year or for a half year.

R E C O M M E N D A T I O N S

1. At the present time the county judge and the juvenile court judge are the same persons. Recommendations --- that these administrative offices should be separate and distinct with a skilled specialist on juvenile psychology as well as some one who is well grounded in Law to serve as the juvenile judge.

2. We recommend that those families made $3,000 or less be given the privilege of having food stamps without cost to them, or to the members of their families, in as much as this is a sub-standard living level and $3,000 is almost in the midst of poverty.

3. We request that money be appropriated by the business community of not only Forrest City, but the entire state for the development of Black businesses with in every community in the state. This is encouraged and justified simply because in most of the cases where there are now thriving well-to-do, or wealthy persons, they in effect, remain aloft from the problem of race relations and civil rights. These persons have made their money through the exploitations and the efforts of the black man, and we are not merely asking for a handout, but for a partial payment fc the blood, sweat, and tears that the black man has put into the state ar that the so called system of justice be restructured such that a random selection of jurors be instituted. This is justified simply because the epitome of the ideal of justice is: that representation of any segment of any community would be proportionate to the number of persons living within that community as compared to those that live within the total community. It should be mandatory that all policemen meet psychological

specifications regarding temperament, attitude toward law-breakers and that they understand the concept that they are enforcers of the law and not makers of the law. We should like to add that we realize that training can not be instituted tomorrow, therefore, we call for a complete purge of all police departments of racists and red necks. And that black policemen be hired and given the same pay and responsibilities of the white policemen.

4. We recommend housing be provided in communities across the state that have a number of people who make $3,000 or less and that this housing be provided in such a way that it serves to bring the total community together should be situated in strategic places that will be accessible to both whites and blacks in order that the proper climate of communication can be established and that the full integration of an open society can be more approximately achieved that the construction of schools and the implementation of the 1954 decision regarding segregation in public schools be made a reality. In terms of construction we would require that schools be situated like new housing units in the middle or in the center of both black and white communities such that they remain accessible to both communities thereby promoting the elimination of the dual system rather than perpetuating the old separate but equal order. We will also encourage that the results of achievements of black students be brought in line and in level with the results and achievements of white students.

5. We highly urge that single member districts be formed for the election of all public officials to public bodies. This goes not only for those in the state legislature but those persons who are elected to represent

constituencies in local government and that these constituencies become a part and a singular expression of the one man one vote principle.

6. We recommend that all state employees, especially the Arkansas Highway Department employees, have a percentage of minority group representatic more in line with the population in proportion according to the 1960 Arkansas census. We want to reiterate that qualifications is no excuse, any system where eight white people pass the test and only three negroes pass the test is an invalid system because it automatically assumes that black people are inferior.

7. As a part of our system to insure that all men are innocent until proven guilty, we recommend that bail be eliminated for persons commiting misdemeanors. In addition, we strongly urge that significant studies be made by qualified individuals, and when we say qualified individuals, we mean individuals who have the ability to perceive what the system has to offer. We urge that studies be made to determine whether or not bail can be eliminated for some felonies.

D E M A N D S

The black residents of Forrest City, Eastern Arkansas and the entire state of Arkansas have been exploited, oppressed, degraded and humiliated for too many years. This situation must change now. It is for this reason that we are marching to Little Rock and making these demands.

Economics and Employment

1. We strongly suggest that the State OEO Office work with the Committee for Peaceful Coexistence to develop experimental economic programs that will be controlled by the Forrest City organization and not the state OEO.

2. We strongly suggest that the St. Francis County Employment Security Division director be replaced by a young black man who is sensitive to the needs of the black community and not controlled by any political group.

3. We strongly suggest that the St. Francis County Employment Security Division director be replaced because of his policy of discriminating against black applicants and that his replacement be a young black man or woman who understands the needs and problems of poor people.

4. We strongly suggest that the Governor show his good faith by raising funds to organize a black owned industry which will train and employ the displaced farm workers of St. Francis County.

5. We strongly suggest that the Small Business Administration, Farmers Home Administration and other programs of the Department of Agriculture make loans available to the low income community of St. Francis County. We also strongly suggest that this be done with a minimum of red tape.

6. We strongly suggest that a comprehensive job training program be set up to train blacks in the Eastern Arkansas Black Belt area and that this program must not be politically controlled as is the Concentrated Employment Program (C.E.P.).

7. We strongly suggest that all State Agencies that operate in Eastern Arkansas begin to immediately hire blacks in white collar jobs and high paying jobs until at least fifty percent of those employed in these positions are black.

Welfare

We strongly suggest that the Welfare Director of the St. Francis County welfare office be fired for her improper treatment of black applicants and recipients. We also demand that those county Social Investigators in the Welfare Office who have been accused of humiliating black people also be fired and replaced by black workers.

Food Programs

1. We strongly suggest that until the food stamp program is replaced by cash grants the welfare office make the food stamps available free to an family of four with an income of less than $200. per month.

2. We strongly suggest that displaced farm workers be employed by the Welfare Office to work throughout St. Francis County to encourage the participation of other poor people in the revised food stamp program.

3. We strongly suggest that the St. Francis County Welfare Office stop discriminating against the black community in the size of welfare grants. We strongly suggest that the grants be made on the basis of need and that the Welfare Office stop cutting off welfare assistance on the basis of heresay information.

Police Protection

1. We strongly suggest that the State Police hire more black State Troopers and station at least twenty-five in Eastern Arkansas.

2. We strongly suggest that black veterans returning from Viet Nam be hired as State Troopers and that tests and qualifications and standards be set aside if the veterans have military police experience in the Armed Services.

3. We strongly suggest that city governments in Eastern Arkansas hire black policemen who are sensitive to the problems and needs of the community and that these policemen be given the same responsibilities, duties and salary as the white policemen.

Courts

1. We strongly suggest that the offices of county, city, and regional prosecuting attorneys recruit and hire black attorneys throughout the counties of Eastern Arkansas.

2. We strongly suggest that the courts of Arkansas provide justice for Arkansas Black citizens.

3. We specifically demand that the courts of St. Francis County and Forrest City provide equal justice for her black residents.

Development

We strongly suggest that Arkansas stop playing politics with the development of economic and social programs that are introduced into the state.

Housing

We strongly suggest that the Federal Government and State of Arkansas, work with the counties and cities of Arkansas as well as the citizens of these areas to develop housing programs that are responsive to the needs of the community.

Education

1. We strongly suggest that the elementary schools, junior high schools, high schools and colleges in Arkansas develop comprehensive black history and black culture curriculum for use in all of her institutions and schools.

2. We strongly suggest that the school districts of Arkansas stop firing black teachers when schools are consolidated.

3. We strongly suggest that the State Department of Education take action to prevent the firing or displacement of black teachers.

EDUCATION DEPARTMENT

Arch Ford

1. The suggestion, as it applies to institutions of higher learning, has merit. Elementary schools use text books which are on the approved state adoption lists, and the inclusion of a specific type course as suggested would, in my opinion, be inappropriate. Black history and Black culture should be integrated in the teaching of social studies. This is also true of Indian culture and Indian history as well as other ethnic groups. Local school districts control curricula offered at the junior high and high school levels (above 8th grade) and the state would, under present law, be powerless to superimpose a specific type course as suggested in the high schools of the state. Moreover, a better approach would be to include Black history and Black culture in the existing courses through the use of related materials in the various fields having to do with ethnic groups. The State Department of Education can and should encourage this development in every practical way.

The State Department of Education has completed an annotated bibliography of materials which deal with Black history and culture, Indian history, oriental history and Mexican history and culture. We have had a special committee to prepare a listing of such materials and it will be sent to local school districts in mimeograph form prior to September 10. We regard this material as important, and it has been prepared as a part of our professional leadership responsibilities. It is not the result of any suggestion from any pressure group. Competent librarians at all educational levels, including the colleges, participated in the preparation of these materials.

It is my thinking that each and every school at all grade levels should purchase some of the above-mentioned materials, and the Department will make every effort, through our field supervisors and the Commissioner's Office to see that this is done. This should result in an enriched program of social studies on an integrated basis.

May I repeat that it is my judgment that colleges and Universities should offer comprehensive courses in the history and culture of ethnic groups, including the largest group, the Negro. Elementary and secondary schools should enrich and improve their programs of social studies through an enlightened program with the use of the best materials available to implement

the materials usually covered by most teachers. I concur that the social studies' need a better approach, but I regard a separate course in Black history and Black cluture at the public school level as questionable.

2. The State Department of Education has for many years worked for equal salaries, and equal opportunities for Negro teachers. Fortunately, we have succeeded so far as salaries are concerned with only a very few districts which remain adamant on this point. Moreover, the Department has recommended the retention of as many teachers as possible when schools have been consolidated. As a matter of fact a good many schools in Arkansas are over-staffed-with both White and Negro teachers. There are a number of reasons for this condition, not the least of which is the desire to retain a Class A or North Central Association school.

Mr. Earl Willis, Consultant to local Boards of Education for the Department of Education, has prepared some data for the information of Governor Rockefeller. I am sure you will note that about 30 Negro teachers have been separated from employment as a result of integration. You will also note that perhaps more than 30 white teachers have lost their jobs as a result of integration or consolidation. The fact is that when two small districts integrate or consolidate, it is seldom that all employed teachers are really needed. In many instances, teachers have been retained, white and black, who were not really needed as far as the school's program was concerned, but local boards felt an obligation.

I agree fully with those who object to the discharge of any teacher because of his race. I have made this statement publicly many times and I now repeat it.

3. I believe my comments to number two above indicates my attitude on this suggestion. The state Department of Education has only such authority as is granted it by the General Assembly. The control of local school districts, including employment and termination policy and actions, are under the exclusive jurisdiction of the local board. The Civil Rights Act of 1964 prohibits discrimination and local boards are subject to this law. Enforcement of the Civil Rights Act is now in the hands of the Justice Department, and neither the Governor, State Board of Education, nor the State Department of Education has any influence other than that which can be exercised as a leadership function.

I agree with the sentiments expressed to the effect that no teacher should be fired bacause of his race. We have exercised influence in this area and shall continue to do so. I want to emphasize, however, that our function is in exercising leadership and is not a result of any legal authority we have regarding employment or termination of teachers.

CONCLUSION:

The State Department of Education has a planned program for employing Negro personnel. We have more Negroes employed at professional level salaries than any other regular state agency, and perhaps more than all other state agencies combined other than A M & N College at Pine Bluff. We are not only willing to employ Negroes, but actively recruit Negro applicants at both the non-professional and professional level. The State Board of Education mandated a planned approach on this problem about six months ago. We are making real progress though we have not reached our goal in all divisions. Some of our divisions have as many as 20% of our employees from the Negro race. This is unusual in any State Department of Education in the North, East and West as well as the South.

We are striving to secure greater enrollment of the Negro in the Vocational-Technical schools. Some progress is being made though it is not as rapid as we had hoped for. We also employ Negro teachers in the schools. One of the things we have not solved is that some Negroes believe that white employers would hesitate to employ them after they are trained and this discourages some from enrolling. But we are working on the problem and I believe making significant progress.

DESEGREGATION STATUS, ARKANSAS SCHOOL DISTRICTS, AUG. I, 1969

I. Racial Identification of Districts Totaling 391
   A. All white districts----------172
   B. All Negro districts---------- 5
   C. Bi-racial districts----------214

II. Total students in Arkansas 1968-69 (average number belonging)
   A. 172 all white districts --------91,210---------- 21%
   B. 5 all Negro districts---------- 1,174---------- .3%
   C. 214 bi-racial districts--229,708 white, 111,179 Negro-78.7%

III. Desegregation of bi-racial districts:

	1968-69	1969-70	1970-71
Unified* districts	103	132	154
Districts negotiating with HEW		29	
Districts against whom HEW has initiated proceedings to terminate funds		9	
Districts awaiting final court order		12	
Districts whose federal funds have been terminated		10	
Districts who have plans approved for 1970-71		22	
Negro students in desegregated classrooms	30,935	52,033**	67,749**
Negro students in all Negro schools	80,244	**	**

* Unified describes a bi-racial school district in which there are no recognizable Negro schools.

**These figures are not complete, since there are several districts who do not yet have approved plans for 1969-70 or 1970-71 but who will have such plans within the next two or three weeks.

IV. Desegregation of teaching personnel

In 1968-69 there were 3461 Negro teachers in bi-racial districts. 647 taught in desegregated classrooms. 1458 are presently assigned to desegregated classrooms in 1969-70. Some 30 Negro teachers have been dismissed as a result of Unifying bi-racial school districts. That many or more white teachers have also been dismissed. The unification of two schools within a small or medium sized district requires less teachers and results in some dismissal of teachers.

V. Related facts as to Location of Negro Students

   A. 41,915 or 37% of the Negro students in Arkansas live in 10 districts.
   B. 87,000 or 77% live in only 61 districts.
   C. 61 of the bi-racial districts have only 2%.

WELFARE

I. Food Programs

The Administration agrees that there are deficiencies in both the commodity and food stamp programs. St. Francis and most East Arkansas counties are served by the food stamp program. We recognize this program has the following deficiencies:

(a) There is far too much administration red tape in the program. The U.S. Department of Agriculture controls the program--makes and enforces all the rules. The Welfare Department certifies eligible people and sells the stamps. This means that the persons needing food are subject to the whims of not one but several federal agencies.

(b) Some people are eligible for such a small amount of stamps that their car fare costs them more than the bonus stamps. This discourages participation.

(c) The food stamp assistance offered is not realistic. A family of 4, making $201 per month is not eligible for any help even though they certainly would have to be considered below the poverty level.

Solutions:

The Administration recommends:

(a) That the food stamp program be administered by the Department of Health, Education and Welfare;

(b) that after eligibility is determined, the recipient be allowed to buy bonus stamps by mail;

(c) that recipients be allowed to buy soaps and cleaning materials as well as food;

(d) that the eligibility rules be relaxed to allow more low-income families to quality.

The Welfare Commissioner has already testified before the Senate on food and hunger that mailing out stamps would be more effective and that minimum purchase requirements are so strict that many poor people are not able to participate. Our recommendations will be restated in messages to the President, the appropriate cabinet secretaries and members of the entire Arkansas congressional delegation.

II. Welfare

(a) Personnel--This Administration has tripled the number of Negro employees in the Welfare Department. There are presently four vacancies in the St. Francis County office and we are seeking to fill them with qualified persons of any race. The federal government, which pays most of the welfare salaries, requires a college degree for welfare case workers and we do not feel that a lowering of qualifications would help the Black community.

(b) The present St. Francis County Director, Mr. Calvin Stackhouse, is relatively new. He has not had a chance to work effectively because the office under his supervision has never been fully staffed. Mr. Stackhouse was selected as director because we felt he would administer the welfare policies fairly and without prejudice because of race or political association. As of this Friday, we know of no specific reason to question Mr. Stackhouse's capabilities.

(c) Although we have published orders to all welfare workers to treat all welfare recipients with dignity and respect, we know we have not had 100 per cent effectiveness. We will reiterate through direct orders and specific training to all our workers the potential gravity of failures to treat each client with total respect. We are asking that any person who feels that they have been mistreated by a member of the Welfare staff write a personal letter to the Commissioner of Public Welfare, State Capitol, Little Rock, Arkansas. We cannot, in all fairness, dismiss any employee without specific cause.

During the past year, the Welfare Department has initiated a legal service program in order to provide free legal assistance to welfare recipients and persons of very low income. This assistance has been withheld from St. Francis County at the request of the St. Francis Bar Association. The Welfare Department will seek a reconsideration from the Bar Association in order to open St. Francis County for this needed free legal assistance.

August 17, 1969

DEMANDS

POLICE PROTECTION

Within the provisions of Act 616 of 1969 the ASP will hire additional black troopers as it is able to. Act 616 limited the ASP to 268 troopers and it has been at or near full compliment for several months. One black applicant is on the eligible list at this time and one is under investigation. Black troopers in the ASP are assigned to their post of preference, a policy applicable to all personnel. The ASP will gladly accept and earnestly solicit applications from black candidates who are willing to serve in East Arkansas.

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Veterans of the Viet Nam war, black and white, are given first consideration by the ASP. Black veterans will be encouraged to submit applications, but rather than lowering the standards to accommodate them steps will be taken to qualify them under existing standards. This might be accomplished by a cadet program which is under consideration or devising a curriculum to be utilized at the Arkansas Law Enforcement Training Academy. The possibility of obtaining a grant for this purpose will be explored.

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Every effort will be made to encourage all municipalities to hire black policemen. It is recognized that they are badly needed by almost all departments and the prestige of the office of the governor will be used to meet this problem. To this end immediate studies will be made to determine whether it will be possible to offer courses in basic police science at some of our vocational schools. If trained policemen are available I am sure they will be hired regardless of whether they are black or white, and this seems to be the most logical solution to the problem of more black policemen. Whether it is done in the vocational schools or the Arkansas Law Enforcement Training Academy or both, we will find ways to qualify the candidates for employment.

RECOMMENDATIONS

The recommendation in regard to psychological specifications and temperament goes to the very heart of the need for complete professionalism in law enforcement. This is a process, as is recognized, which will require time. It can be speeded up by the enactment of legislation establishing minimum standards for police officers and I will continue to press for such legislation. Standards relating to attitudes and temperament are desirable and will receive prime consideration. This is a goal we must all work for.

GOALS

Discriminatory arrests and charging procedures by the Arkansas State Police will not be tolerated. It is the policy of this department to enforce the law fairly and impartially and when there are exceptions investigation is always conducted. All serious complaints are referred to the FBI for impartial investigation. Relatively few complaints are being received against ASP personnel at this time and it is believed that progress is being made. This problem is related directly to professionalism and I will insist that the Arkansas State Police set the proper example. I will also lend my support to the implementation of recommendations in the recent study entitled "Courts in Arkansas Trying Traffic Cases" recognizing that the judge can do much to discourage improper arrests and charges. I will also ask the cooperation of the Arkansas Bar Association in meeting this problem, noting that it is interested in codes of conduct for law enforcement officers.

Colonel Scott
August 17, 1969

COMMISSION ON CRIME AND LAW ENFORCEMENT

To date the Commission has made 50 grants totaling $210,311 under the provisions of the Omnibus Crime Control and Safe Streets Act of 1968 and in accordance with the priorities established by Arkansas' First Year Plan to improve all phases of criminal justice and reduce the incidence of crime.

These grants were made to provide better training for police officers, training for municipal judge and probation officers, investigative equipment to assist officers in better investigations, specialized training for selected officers not available in Arkansas, better communications by replacing old outdated equipment and riot control equipment.

Surveys are presently under way to determine the feasibility of a central computer system into which information concerning all crime committed and all warrants as well as criminal history will be stored and immediately available to all law enforcement, prosecuting attorneys, probation and parole officers, judges and correction personnel.

A survey is also contemplated concerning the feasibility of a micro-wave system throughout the state to tie together all criminal justice agencies and the central information system which would provide a more efficient criminal justice system in Arkansas.

Other areas being explored are minimum standards for police officers, advanced training courses to be offered by our colleges and universities, updating of police salaries and incentives for securing advanced training, police-public relations programs, improvement of our parole and probation systems, as well as our corrections system.

The Commission was designated in June 1969 to handle the Juvenile Delinquency Program. Since the Commission has not been funded under this program no Federal planning money is available. However, direct grants have been made to four agencies in Arkansas dealing with youth.

The Commission is ready to assist any department, agency or institution in developing plans for improvement of our criminal justice system and the handling of our juvenile delinquency problem.

STATEMENT BY DR. CLYDE HART
State OEO Director

The State Office of Economic Opportunity welcomes the opportunity to work with the Forrest City Committee on Peaceful Co-existance or with any organization or group in the state in developing programs for the poor, providing the organization and programs qualify under Federal OEO guidelines. The guidelines are spelled out in the 1964 Economic Opportunity Act as amended. All OEO programs are designed to help the poor help themselves without regard to race, color, creed or national origin.

Since local community action agencies have the option of sponsoring all OEO funded programs, the East Central Arkansas Economic Opportunity Council, the community action agency in the Forrest City area, is the sponsor of all OEO programs now operating in the area. The East Central Arkansas Economic Opportunity Council basically covers St. Francis and Cross counties with limited coverage in Crittenden, Lee and Woodruff counties.

Of approximately $10 million in OEO funds coming into Arkansas in fiscal year 1969-70 designated for community action agencies, the East Central Arkansas Economic Opportunity Agency will receive in excess of $1 million. (See attached list of programs and funds).

These funds and programs are controlled by a board of directors elected by local people. Since OEO guidelines require that one-third of the board members be elected by the poor, the poor have a voice in determining how these funds are used.

The staff of the state OEO compares favorably with any state OEO staff in the nation in finesse, expertise, dedication and sensitivity to the needs of the poor of all races.

The state OEO maintains an excellent racial balance in staff personnel. Seven of the 16 staff members are black. Of these seven four earn in excess of $10,000 annually.

The Arkansas OEO is already active in fulfilling the new role of OEO recently announced by President Nixon. A Planning Development Program was initiated by the state OEO August 1. This program is designed to explore ways to involve the poor in planning for the utilization of economic and human resources in the state and to establish priority needs at the grass roots level.

Also, an experimental child care program designed to bring about the involvement of private business and the industrial sector in the War on Poverty is under way in the eight county area served by the Arkansas River Valley Action Committee.

Another pilot project, the Health and Nutrition program, is now in operation in six Eastern Arkansas counties including St. Francis. The program, which may call for expenditures in excess of $1 million, is designed to serve as a model for similar programs in other states.

EAST CENTRAL ARKANSAS ECONOMIC OPPORTUNITY COMMISSION
FORREST CITY, ARKANSAS
JOHN CLARK, DIRECTOR

EAST CENTRAL ARKANSAS ECONOMIC OPPORTUNITY COMMISSION
FORREST CITY, ARKANSAS
JOHN CLARK, DIRECTOR

			Beginning
1.	Family Planning	$20,000	6/30/69
2.	Migrant Education	125,358	6/1/69
3.	Feeder Pig Corpn	145,000	6/30/69
4.	Summer Recreation	47,850	6/20/69
5.	Emergency Food & Medical	80,000	6/27/69
6.	CAA Administration Neighborhood Service Centers Community Organization Summer Head Start Child Development Medical Care General Services	735,547 (Requested) Due by August 31, 1969	
	TOTAL OPERATION FY '70	$1,031,256	

Family Planning
Migrant Education
Feeder Pig Corpn
Summer Recreation
Emergency Food & Medical
CAA Administration
Neighborhood Service Centers
Community Organization
Summer Head Start
Child Development
Medical Care
General Services
735,547 (Requested)
Due by August 31, 1969
TOTAL OPERATION FY '70 $1,031,256

-38-

BEST COPY AVAILABLE

ARKANSAS EMPLOYMENT SECURITY DIVISION

John M. Peterson
Administrator

The ESD is responsible for providing employment services as well as paying unemployment insurance claims through its 26 regular local offices located throughout the state. It also administers certain training programs for the U. S. Department of Labor.

Employment Service--Local Office

Since the local offices have no jobs of their own to offer, services to job applicants depends upon the job orders voluntarily placed by employers. By law, the local offices cannot accept job orders that have discriminatory requirements as to race or sex; and employers have been notified that discriminatory orders will lead to withdrawal of referral services. In the last two years the ESD has been very concerned with the large number of youth, women and Negroes available for work, while some employers complain of a shortage of qualified workers to fill job vacancies. Employers are being contacted to acquaint them with the available labor force and to encourage them to adjust their job requirements to hire more of the available types of workers. They also are encouraged to upgrade and promote from within to make jobs available at the beginning level. In addition, the federal government has been financing new programs to be of greater service to the unskilled and disadvantaged workers. About four years ago ESD began adding counselors to spend more time helping these workers. The ESD is responsible for referring workers to federally-funded training programs.

In carrying out these functions, the ESD local offices follow detailed federal regulations. They are visited periodically by evaluation teams, and statistics on their operations are checked. A minority representative visits all offices regularly and contacts community leaders.

The staff of the ESD are hired under strict rules of the Merit System; and changes in the minority representation can take place only as vacancies occur and as minority members pass exams and appear on the merit registers. However, considerable progress has been made in the past two years.

As of July 16, 1969, there were 51 Negroes among the 634 employees of ESD. Only 11 Negroes had started their employment prior to 1967. In the past two years several Negroes have been promoted to upper grades in ESD, including one who became an assistant director. In addition, ESD has created some new types of positions that more Negores can qualify for at the entry levels; and several have been promoted later as they gained skills with job experience.

Governor Rockefeller recently appointed a Negro as one of three members of the Merit System Council. And ESD has initiated a study of the examination questions and recruting procedures of the system to see if unnecessary barriers can be removed.

The Forrest City local office at present has 11 employees of whom one is a Negro. However, other ESD programs in the city also hired five Negroes and others are in the process of being recruited.

During the first half of 1969, Negroes represented 52% of all job applicants at the Forrest City local office. They received 72% of counseling interviews and 66% of tests. Of all job referrals, 59% were Negroes, and 48% of all actual placements on jobs were Negroes.

For a number of years, manufacturers in Forrest City have operated on an integrated basis and have provided many good paying job opportunities for Negroes. In recent months, progress also has been achieved in hiring Negroes in many smaller retail and service establishments. Unfortunately, displaced farm workers from rural areas are being attracted into Forrest City faster than new jobs are being created. But the ESD local office will make every effort to place Negroes wherever there are possible opportunities.

Training Programs--Rural CEP

The ESD administers federal funds for several training programs. The oldest is the M.D.T.A. which unfortunately consists of a number of separate classes arranged for at different places in the state and times of the year. Some O.J.T. (on-the-job training) is arranged with specific employers. The Nixon Administration is proposing to combine this type of training, along with some programs under the O.E.O., into a comprehensive manpower program. Each state governor will be asked to take a lead in preparing plans for the State, and then a block grant of funds will be provided to administer a state program.

The ESD has just initiated in July the Work Incentive (WIN) program, whereby welfare recipients are given training and referred to jobs. Offices to process welfare clients in this WIN program are being opened at Little Rock, Pine Bluff and Jonesboro.

The ESD is in the second year of its Rural CEP program--the Rural Concentrated Employment Program. This is a special training program for a 14-county area in east and southeast Arkansas. It is administered through 6 local offices and through 5 CEP offices (for intake and orientation training). Job training and basic education training is subcontracted to other agencies that provide the instruction.

During the first year (ending July 31), Rural CEP served 1,225 disadvantaged individuals, among the many poor in East Arkansas, and 1,022 of these were Negroes. Of the latter, 296 have been placed on jobs. Another 232 dropped out (many having left the area, and some may have obtained employment). There were 198 terminated for administrative reasons, often because of barriers of age or health that restricted any possibility of employment. The others are still being processed.

Many of the job placements were in industry in such jobs as production machine operator, tile setter helpers, lathe operators, machine helpers, foundry workers, employment agents, chassis assemblers, electricians, shipping clerks, maintenance carpenters, arc welders, etc. Others were placed in public and private jobs as clerical and sales workers.

As an experimental program, the Rural CEP suffered from some mistakes in the first year, and changes now are being made. Suggestions for further changes are welcomed.

One of the first year weaknesses was in the design of training slots under the sub-contractors. Some of the training did not produce skills that would lead to steady employment. Some of the training was for jobs in local government and hsopitals. Efforts are now being made to redirect training more toward private industry and for better paying jobs. A recent survey of employers indicates 3,600 workers will be needed in the next six months; and it is anticipated that at least 650 CEP trainees can be placed in these jobs.

This year, also, financial aid for moving some workers to jobs in Little Rock will be made available.

The staff of Rural CEP was initially 48 but has been expanded now to 69. One third, or 23 of these now are Negroes. While many of the experienced professionals had to be transferred into this program from ESD local offices, many new opportunities were created for Negroes in this program. More still are in the process of being hired in this program and in the WIN program.

An Action Response to Demands

While the ESD has been making much progress in hiring Negroes, it is willing to receive suggestions on ways of making greater progress while maintaining its high standards. After meeting with Negro leaders in Forrest City, the Administrator has reviewed personnel in that community and is initiating the following specific actions:

1. A Negro, Mrs. Jo Ann Daniel, will be placed in charge of all Rural CEP operations in Forrest City, and 13 employees will be consolidated under her supervision at the Christ Episcopal Church School location.

2. Four more Negores will be hired in the Rural CEP program at Forrest City as soon as possible--making a total of 8 Negroes among the 13 in this program.

3. In the Forrest City local office two Negroes will be transferred in (and promoted) to the position of interviewers.

4. A review also will be made of opportunities for hiring Negroes in the Rural CEP offices of other cities in East Arkansas. It is noted that a Negro, Tommy Davis, already is in charge of the new office at Marion.

SMALL BUSINESS ADMINISTRATION
377 POST OFFICE AND COURTHOUSE BUILDING
600 WEST CAPITOL AVENUE
LITTLE ROCK, ARKANSAS 72201

Mr. C. W. Ferguson, Regional Director of the Small Business Administration, advises that the Little Rock Office will be pleased to work with the minority groups in Forrest City and make available all loan programs administered by this agency. Representatives of the Little Rock Office make frequent trips to Forrest City and upon request would be available for special interviews. In addition, those interested in loans can always write, call or personally contact the Little Rock Office at 377 Post Office and Courthouse Building, Little Rock, Ark.

Mr. Ferguson also stated SBA is emphasizing a special program "Operation Mainstream" whose purpose is to assure ethnic minorities and other socially and economically disadvantaged individuals opportunities to qualify for loans under a relaxed eligibility criteria. The maximum loan under this program is $ 350,000 with bank participation. SBA has another program "Economic Opportunity Loans". This program is designed to assist low income individuals or persons who have been socially or economically disadvantaged. Maximum under this program is $ 25,000 and can be made direct by SBA.

In addition to the above and regular loan programs, the agency offers free management counseling, training and publications. A group of retired executives (SCORE) has been set up to advise and help less experienced small business people in all phases of the operation of their business. These services can also be obtained by contacting the Little Rock Small Business Administration.

Since the beginning of these special programs, we have made approximately 50 loans to Negro businesses in the dollar amount of $ 924,000. It is hoped that these figures will be greatly increased in the next few months.

SMALL BUSINESS ADMINISTRATION
377 POST OFFICE AND COURTHOUSE BUILDING
600 WEST CAPITOL AVENUE
LITTLE ROCK, ARKANSAS 72201

In an attempt to acquaint minority business owners and prospective business owners with "Operation Mainstream" and other SBA programs, we have contacted Community Action Program Directors, including the CAP Director in Forrest City to explain the program and to seek their help in getting in touch with interested minority representatives. A few days ago we met with the Vista workers of eastern Arkansas to explain all of the SBA programs and to ask their cooperation in acquainting minority members with SBA services. SBA has set up a special Minority Advisory Council, made up of Negro business leaders, some of which travel throughout the state, to help us to reach minority business owners and to work with minority business men in the solution of their management problems.

This month we have made contact with the Vocational-Technical School at Forrest City to set up an educational program there for the benefit of business owners, particularly those receiving loans under the "Economic Opportunity Program" and "Operation Mainstream".

Earl D. Wells
Chief of Financial
Assistance Division

F A C T S H E E T

ECONOMIC OPPORTUNITY LOAN PROGRAM

Title IV of the Economic Opportunity Act of 1964 authorizes the making, participation in, or guaranteeing of loans to assist in the establishment, preservation, strengthening of eligible small business, and improve the management skills of employees in such enterprises with special attention to small business concerns (1) located in urban or rural areas with high proportions of unemployed or low-income individuals, and (2) owned by low-income individuals.

WHO MAY BORROW: The applicant, as head of household, must be a low-income individual whose total family income from all sources (other than Welfare) is not sufficient to satisfy basis needs of family, or a person who, due to social or economic disadvantages, has been denied the opportunity to acquire adequate business financing through normal lending channels on reasonable terms. Business in almost all cases will be primary source of income.

AMOUNT: $25,000.

TERMS: 15 years maximum; normally, working capital or inventory loans will be for a shorter period of time. Interest 5-5/8% Direct.

REQUIREMENTS: Good character and credit record are basic necessitites for an Economic Opportunity Loan, and in addition:

1. There must be reasonable assurance of repayment of the loan.
2. Financial assistance is not otherwise available on reasonable terms.
3. The amount of loan together with other available funds is adequate to assure completion of the project.
4. Borrower must agree not to discriminate on the grounds of race, color, creed, or national origin.

The loan may not be used to relocate establishments from one community or local area to another.

SMALL BUSINESS ADMINISTRATION
377 Post Office & Courthouse Building
Little Rock, Arkansas 72201

F A C T S H E E T

Operation Mainstream

7(a) LENDING UNDER "~~PROJECT OPEN~~"

Special criteria are hereby established for loans under the regular 7(a) program for certain businesses which normally will be located in urban or rural areas with high proportions of unemployed or low-income individuals. These loans may be made to existing or new businesses--the greatest possible commitment to be made assisting minority groups.

AMOUNT: Not to exceed $350,000 Bank Guaranty, $150,000 Immediate Participation ~~and $100,000 Direct~~.

TERMS: 15 years maximum. Normally working capital loans will be for a shorter term.

REQUIREMENTS:

(1) No restriction on change of ownership.

(2) "Matching dollar" equity policy for new business. The applicant must have a reasonable amount at stake in the business so that with the financial assistance it will be possible to operate on a sound basis. Normally a minimum of 15% will be required.

(3) Acceptable debt-net worth ratio for existing business. Provided that the prospective cash flow, considering replacement of fixed assets that might be required in the future, is adequate to meet fixed obligations, a disproportionate debt-net worth ratio may be disregarded.

(4) Collateral. Inadequate collateral will not preclude loan approval if prospective future operations reasonably assure that the loan can be repaid from the profits of the business. The applicant must pledge whatever worthwhile collateral is available, including fixed assets purchased with loan proceeds. Personal guaranties may be required if appropriate.

SMALL BUSINESS ADMINISTRATION
377 Post Office & Courthouse Building
Little Rock, Arkansas 72201

August 17, 1969

To: The Honorable Winthrop Rockefeller
Governor of Arkansas

From: Robert Hankins
State Director, Farmers Home Administration

Robert L. Hankins, State Director, Farmers Home Administration, who is out of the city, authorized me by telephone this morning to give you this statement about the Farmers Home Administration services that are and will be made available to Negroes in St. Francis County and other counties in Arkansas.

First, let me say the agency has 6 full-time employees in our office in Forrest City, 3 of whom are Negroes, and 3 white employees. In addition, the Farmers Home Administration County Committee, composed of 3 people, has 1 Negro who is a regular employee of the Committee.

In recognition of the need of improved living conditions, St. Francis County is one of the few counties having the services of a Negro Home Economist who works closely with low-income families in rural areas.

Mr. Hankins informed me that he asked a member of his staff to make an equal opportunity check last week regarding loan activities in St. Francis County. This report shows that approximately 50% of all FHA loans to individuals are presently being made to Negroes. This is one of 16 counties in Arkansas where Negroes received over 50% of all rural housing loans made in the County during the 1969 fiscal year. Negroes in this County actually received 60% of all rural housing loans made in the County last year.

We have recognized the need for improved housing in this area. The Farmers Home Administration has a relatively new authorization in connection with our rural housing programs whereby the benefit of interest credit is available to low-income families who cannot afford to pay the regular amount of interest. The interest charged may be as low as 1% and never more than 6¼%. We are now making specia plans to make this service available to all low-income families. This will make it possible to help a much larger number of Negro

families than we have in the past. In addition, funds provided nationally are such that we should be able to help from 2½ to 3 times as many families to obtain improved housing as compared to a year ago. We expect to place special emphasis on this program in St. Francis County immediately. Self-help housing will also be encouraged for low-income families who can contribute their labor on a cooperative basis in building their homes.

All other type loans such as operating, real estate, and economic opportunity will continue to be available to all eligible families, regardless of race, creed, or color. First priority on the use of funds will be to low-income families.

The State Director recently spent a full day in St. Francis County meeting with low-income families, most of whom were Negroes, to better acquaint himself of their needs and to find methods to provide better services to these families.

You may expect full cooperation from all County, District and State office personnel.

Jodie Anderson
Chief of Real Estate Loan Division
Farmers Home Administration
Little Rock, Arkansas

ARKANSAS PLANNING COMMISSION

GAME AND FISH BUILDING
CAPITOL MALL

LITTLE ROCK, ARKANSAS 72201

TELEPHONE
371-1211

WINTHROP ROCKEFELLER
GOVERNOR

WINSTON C. BEARD
EXECUTIVE DIRECTOR

MARTIN BORCHERT
LITTLE ROCK
CHAIRMAN

ABBOTT F. KINNEY
DERMOTT
VICE CHAIRMAN

MEMORANDUM

August 17, 1969

TO: Public Relations

FROM: Arkansas Planning Commission

The attached comments are submitted in response to the memorandum which the Governor received from representatives of the black communities in eastern Arkansas. The contents reflect what is essentially the past and present involvement of the Arkansas Planning Commission in dealing with the state's social and economic problems.

Attachment

Commissioners: • Paul L. Giuffre, Fort Smith • R. A. Eilbott, Jr., Pine Bluf
Abbott F. Kinney, Dermott • Martin Borchert, Little Rock • Vance Scurlock, Jonesbor
Mauritz E. Friberg, Berryville • J. F. O'Kelley, Conway

701 Comprehensive Planning

A community plan for Forrest City was completed by the University of Arkansas City Planning Division in May, 1959. The following planning elements were included in this program:

1. Base maps,
2. Major street plan,
3. Land use plan, and
4. Subdivision and zoning regulations.

Since this plan does not cover all elements and is ten years old, a complete 701 Comprehensive Planning Program should be encouraged.

Forrest City has a workable program in effect that will make them eligible for Federal assistance in housing.

Forrest City has a Housing Authority.

The Housing Authority has an application for 200 units of public housing approved, one-half of which will be for the elderly, one-half for rent-supplement. These units should be completed within 10 to 12 months.

One hundred and fifty turnkey public housing units have been approved and will be constructed by the Housing Authority within the next 10 to 12 months.

Ninety-four units of FHA sponsored housing are being planned by a local developer, Mr. Merrill. FHA has given tentative approval of the program. Twenty of these units will be rent-supplemental.

FHA has indicated that the 344 approved units meet the housing demands and no more housing can be supported by them until the present housing program has

been completed and evaluated. This points up the need for an independent housing survey by the local Housing Authority.

The state is in the process of developing an initial housing element under a Department of Housing and Urban Development grant. This is to provide a comprehensive plan for the state's role in the housing program.

The Economic Development Districts will also, in most cases, be preparing plans for housing in their districts.

Many cities throughout the state, as part of their comprehensive planning program, will be making housing studies.

These housing studies will form the basis for physical housing development and are geared to a three to five-year program. Control will be exercised through a yearly review of the programmed housing activities.

The Arkansas Planning Commission is encouraging and assisting communities to maintain a workable program so they will be eligible for Federal assistance, and if they do not have a workable program, they should initiate action to start one. A short course was recently held to train local personnel in this program. Representatives from 61 cities attended. More short courses will be conducted in the near future.

Recreation

Although recreation was not emphasized in the memorandum to the Governor, it is an area of activity of some importance to black and white citizens alike. The Arkansas Planning Commission administers the grant program of the Bureau of Outdoor Recreation, U. S. Department of Interior, in Arkansas. Projects amounting to about $3 million have been approved since the program began in 1965. Four state parks, one county park, and over a dozen cities have had projects approved to date.

These funds are available for the acquisition of land and the development of outdoor recreation facilities on a 50-50 matching basis. This means that the local community, or county, must come up with one-half the total cost of the project, either acquisition or development. The lack of local matching funds has prevented many Arkansas communities from taking advantage of this program.

Forrest City is one of the towns that has not made application for assistance under this program. If the local citizens, the community leaders, and the elected officials would like to provide more and better outdoor recreation facilities in Forrest City, the staff of the Arkansas Planning Commission will provide whatever assistance it can give at any time.

Facilities acquired or developed under the Bureau of Outdoor Recreation program must be accessible to people of all races. Before any grant is approved, the local officials must sign a statement agreeing to this provision. To our knowledge, it has worked well on every project supported by this program in Arkansas to date.

The following comments pinpoint specific programs which have been proposed by the Chief Executive with the express purpose of solving, or at least ameliorating, the problem areas identified by the black residents in eastern Arkansas.

Economics and Employment

Demand No. 1. The Arkansas Planning Commission has recently become explicitly involved in the OEO sponsored "Planning Development Program". The goal of this program is to devise and implement a process through which the poor in Arkansas can meaningfully contribute input into the human and economic resource planning for the state. This program will strive to make all Federal, state, and local agencies explicitly aware of the needs of the poor people. Two people from the Planning Commission will assist Mr. York Williams, the "planner-in-charge", in an advisory capacity.

Demand No. 4. The Governor's 1969-70 program included provisions for two programs which would indirectly deal with the stated problem. The Municipal Industrial Development Loan Fund program would provide for the establishment of a revolving loan fund from which the state's municipalities could borrow seed money for inducing expansion of existing firms or location of new firms. Another proposal, creation of a new division within the AIDC, would assist and promote the development of agricultural and forestry oriented industry. Emphasis would be placed on the development or expansion, both vertically and horizontally, of agriculturally oriented firms.

Demand No. 6. The Governor's 1969-70 program included a number of training innovations that would relate to the employment problem in eastern Arkansas even through the programs were conceived on a statewide basis. Approximately

$2.0 Million was recommended for a Mobile Plant-Site Training Program. This new concept for providing job training would allow small and/or isolated communities as well as areas surrounding vocational-technical schools to expand existing or attract new industries. Training would be conducted at the location of the firm and would rely on the resident population for trainees. The Governor recommended a $2.6 million increase over the 1969-71 biennium for expansion of Human Resource Development programs. Most of the effort was centered around the improvement and expansion of vocational training and education. Specifically, proposals were made to: provide additional vocational education aids and equipment; upgrade vocational education instruction; generally improve the quality of area vo-tech schools.

Welfare

Welfare Demand No. 2. The 1969-71 Executive Budget Recommendations included the following provisions: To train potentially employable welfare recipients under a Work-Incentive-Program. The Governor recommended approximately $600,000 for 1970 for this purpose and $1,000,000 in 1971. The program would include St. Francis County and is to be a statewide effort.

Although not specifically for St. Francis County, the Administration recommended a $10 per month increase in Aid-to-Families-with-Dependent-Children grants. This would aid a large number of low income families, both black and white.

Police Protection

Demand No. 1. The 1969-71 Executive budget recommendations included a provision to add 127 additional uniformed personnel and related equipment to improve the quality of law enforcement in Arkansas. An additional $2.7

million was requested for both years of the biennium for this purpose.

Demand No. 2. The 1969-71 Executive budget recommendations included an additional $225,000 in 1970 and $144,000 in 1971 to expand the scope and quality of the training courses provided by the Arkansas Law Enforcement Training Academy. Such an expenditure would provide for improved standards of law enforcement for the black community as well as for the white community.

With respect to hiring black Vietnam veterans with military police experience, the Legislature has to provide positions before they can be filled. Such positions were requested by the Executive Branch.

Development

The Arkansas Planning Commission, in cooperation with the Ozarks Regional Commission, has developed minimum and coordinated standards which must be fulfilled by all Economic Development Districts in order to receive funding. Such standards are designed to remove undue political influence and caprice from the economic development programs of the state. (Grants money of $240,000 for each year of the biennium was requested to aid state economic development programs.)

Education

The Executive budget recommendations included the following provisions:

1. To support a pilot demonstration project in early childhood development ($300,000 in 1970 and $300,000 in 1971).

2. To support a pilot demonstration project in training school administrators and school board members ($200,000 in 1970 and $200,000 in 1971).

Both of these provisions were designed to produce an educational system that is more responsive to the needs of local areas and be more adept in handling special problems.

ARKANSAS STATE HIGHWAY COMMISSION

Statement of Ward Goodman
Director of Highways

Re: Recommendations #6
Demands #7
Economic and Employment

The Arkansas State Highway Department has executed an agreement with the Federal Government as an Equal Employment Opportunity agency. In addition, the provisions for EEO employment by contractors has been included in all construction contracts. As a part of this program the Arkansas Associated General Contractors have instigated a federally approved job training program for minority groups. For employment in the agency the department has advertised as an EEO employment agency in the Wynne, Forrest City, West Memphis and Memphis newspapers. Recruiting efforts in this regard will be increased with special emphasis being given to employment of minority groups.

Although the number of so called white collared jobs in the department are quite limited, there are no racial restrictions in recruiting or promotions to these positions. It is further considered that all highway department jobs are positions of dignity and that the pay scale compares favorably with those of industry and no difference is made because of the color of the employee.

Most of the department's positions in East Arkansas are in the maintenance division. Although these jobs may not be considered "white collared" they are jobs from which advancement is not limited and the pay is adequate. The only qualifications for initial employmen are that the applicants be 18 years of age and able to perform

the prescribed duties. The next most numerous positions are in the construction division and for most such positions the minimum requirement is high school graduation or a GED certificate. We have attempted for a long time to recruit black employees in this group.

In general the need for additional employees for the highway department is seasonal. At this period employment is at a peak and depending upon weather conditions will tend to decline in the fall.

The department is determined by highway commission policy and by federal agreements to increase the percentage of minority groups employees.

Respectfully submitted:

Ward Goodman

ARKANSAS REVENUE DEPARTMENT
Bob Scott

In 1965 the Revenue Department had five Negro employees, representing less than one per cent of its total labor force, all of which were holding positions of porter. In the latter part of 1966, an additional eleven Negroes were hired, again in porter positions, increasing the percentage of Negro employees to 2.6 per cent.

For the past two and a half years the Revenue Department has made a bona fide effort to hire without regard to race. As a result of this policy, the ratio of minority employment has increased to in excess of five per cent. The Department now has thirty-one minority employees, of which fifteen are classified as maintenance, fifteen are classified as clerical and one is classified as supervisory.

We recognize this does not nearly equal the minority population ratio. However, our failure to employ from minority ranks stems from lack of qualified minority applicants rather than any discriminatory employment policy on the part of the Revenue Department. We cannot and will not ignore qualifications of applicants for employment in the Revenue Department.

The total labor force of the Revenue Department has been reduced to 591 as a result in the reduction of funding by the Legislature. The thirty-one minority employees represents 5.3 per cent of our total labor force.

We shall continue to hire replacements without regard to race, giving priority to minority applicants with comparable qualifications. Even though this policy has not been publicized in the past, we would be willing for it to be made public if it should be deemed beneficial or essential to the negotiations in resolving the Forrest City problem.

Adm. Justice Southern Justice

DUAL JUSTICE IN THE COURTS--
UNCONCERNED COMMUNITY

Justice is turned back,
and righteousness stands afar off;
for truth has fallen in the public squares,
and uprightness cannot enter . . .
The Lord saw it, and it displeased Him
that there was no justice. Isaiah 59:15-15

"Dual justice takes many forms, some merely disgusting and others so quietly terrifying that they balk the scrutiny of rational men."

The answer — A concerned community
The ultimate responsibility is with the people.

THE FELLOWSHIP OF THE CONCERNED
THE SOUTHERN REGIONAL COUNCIL
5 FORSYTH STREET, N. W.
ATLANTA, GEORGIA

From the discussion groups of the 1965 workshop of the Fellowship of the Concerned, came an urgent request that the Fellowship of the Concerned launch a campaign of women visiting the courts -- showing their interest and concern in what is happening.

What has been done thus far:

1. The Executive Committee of the Southern Regional Council gave the program their hearty approval.

2. The State Councils on Human Relations will be partners with us in this program.

3. A call went out to the presidents of national women's organizations asking them to come to Atlanta for two day's of discussion. The response was most gratifying.

The morning session of the first day was spent listening to a group of lawyers discussing for us the problems we had to meet and answering their questions. The remainder of the time was in the hands of these national women who divided themselves into several committees.

Mrs. Stuart Sinclair, President, United Church Women, National Council of Churches

Miss Dorothy Height, President, National Council of Negro Women

Mrs. Max Goldstein, National Board, National Council of Jewish Women

Mrs. George Gunning, National Board, National Council of Catholic Women

Mrs. A. L. Cram, Jr., Vice President, National Board Y.W.C.A.

Mrs. Michael Shapiro, First Vice President, B'nai B'rith Women

Mrs. George E. Kimball, Vice President, Unitarian Universalist Women's Federation

Mrs. Benjamin Mays, Representing Woman's Missionary Council, Christian Methodist Episcopal Church

Mrs. O. Ivan Cole, President, International Christian Women's Fellowship, Disciples of Christ

Mrs. Rose Anna Nelson, First Vice President, Woman's Home and Foreign Missionary Society, African Methodist Episcopal Zion Church

Miss Evelyn Green, Executive Secretary, Board of Woman's Work, The Presbyterian Church in the U. S.

Mrs. Niles C. Clark, Representing Woman's Society of Christian Service, Board of Missions, The Methodist Church

Mrs. Edward M. Brown, Representing Council of Lay Life and Work, United Church of Christ.

The following is their report:

A. Issued the following statement.

> "We, as members of national women's organizations, believe that the freedom, dignity, and security of the individual are basic to American democracy.
>
> "Since it is the nature of women to be a civilizing influence we are particularly concerned about the treatment of people in our democracy today.
>
> "As women citizens of this nation we feel a moral responsibility for the administration of justice in the courts.
>
> "This requires knowledge, personal commitment, and united action."

B. Directed the Southern Regional Council to prepare material on the discrimination in jury selection and the dual justice in the courts -- one for Negroes, one for whites.

C. Asked that workshops on the courts be held in each of our eleven Southern States -- and that visits to the courts be made beforehand in preparation for the state workshops. (One of the lawyers who spoke to the group said, "If women would visit the courts regularly it would revolutionize the courts.")

(Please study the attached "Observer Guidelines" prepared for us by Mrs. William Wood, First Vice President, League of Women Voters of the United States.)

WORKSHOP ON COURTS

Prepared by Mrs. Wm. Wood, Vice President,
League of Women Voters of the United States

Observers Program

Some selective process should be used in recruiting observers. Personal appearance and demeanor are important. Those willing to participate should --

1) Conduct themselves in a polite, well-mannered way.

2) Be willing to sit through proceedings and refrain from making remarks or engaging in conversation with those nearby while the Court is in session.

3) Act like a fair-minded person.

It is wise for observers to work in teams of two. This makes it possible to check with one another when any report is written.

When observing in the Courts the following should be kept in mind:

1) Trials are open. However, any judge has power to exclude the public and to have part of the hearing in private.

2) Know the procedures in the Court to be visited. Attorneys can be helpful in briefings on this.

3) Know the Court schedule -- what cases are coming up, the time the Court opens, etc.

4) Many Courtrooms have limited space. Get there in time to get a seat near the front so you can hear. Do not expect special favors in having a seat saved. If offered, do not accept a Judge's invitation to sit on the bench.

5) Areas of interest:
   a. Judge's demeanor toward the person before the Court.
   b. Bail
   c. Legal Counsel.
   d. Jury selection.
   e. Sentencing, fines, etc.

6) Observe several times with the same judge presiding.

7) Observe procedures under more than one judge.

SOUTHERN JUSTICE:

THE PROBLEM

Much has been written on the South's dual system of justice -- one brand for the white man -- yet another for the Negro. Legislation is even now being debated which hopefully will bring about change. But it will take more than new laws to rectify the abuses of generations. The vigilance of dedicated citizens willing to spend time and patience sitting in courtrooms and observing, willing to inquire, to ask the hard questions about long established procedures can be quietly effective. A coalition of women's organizations acting on local levels can fill this need. When lynch law was prevalent in the South, the Association of Southern Women for the Prevention of Lynching was formed and over the years contributed hugely toward eliminating mob rule in the South. The same spirit of that earlier organization is now needed as the South faces up to the new challenge of Jim Crow justice.

Let's look just briefly at the overall situation, for basic to any meaningful action is an understanding of the directions one is trying to move.

The double standard of justice in the South is most obvious in the record on civil rights cases.

From 1960 through mid-1965 at least twenty-six Negroes and white civil rights workers were slain. Only one assailant was sentenced -- to ten years in prison.

Toward the end of 1965, however, the three men accused of murdering Mrs. Viola Liuzzo were convicted of "conspiracy to violate her civil rights" and were sentenced. This was after one of them had been acquitted of the charge of murder. The next day Damon Strange was convicted of manslaughter in a night-rider slaying in Anniston, Alabama.

If the double standard of justice were limited to civil rights cases, one might find reason for optimism -- however slight -- in these recent convictions. But the problem goes much deeper.

The double standard of justice looms constantly over the daily life of every Negro in the South. In ordinary contacts with police, in traffic courts, in civil procedures, and in criminal cases the dual standard is a standing abuse to all Negroes.

Capital Cases

Despite the fact that more than half of all convicted rapists are white, 87 per cent of all the persons executed for rape between 1930 and 1963 were Negroes convicted and sentenced by southern courts.

Between 1930 and 1961, 34 people were executed for the capital offense of night-time burglary. Twenty-nine of them were Negroes and all but one were put to death in a southern or border state.

Studies have shown that a Negro murderer is likely to get the maximum penalty if his victim is a white person, while

southern courts are inclined to be lenient if the victim is another Negro. A white person is more likely to receive the maximum penalty for killing another white person than for killing a Negro.

Minor Offenses

Negroes suffer from what has been described as "cash register justice." Suppose a judge gives two men, one a Negro and one white, the same sentence for drunk driving: $150 fine or twelve months in jail. If the Negro is a laborer at $1.25 per hour (when he can find work) and the white man earns $250 a week, the sentence is not really the same because a fine of three days' pay for the white man is an impossible sum for the Negro.

To be sure, "cash register justice" victimizes the poor of both races, but the Negro, being poorest, suffers most frequently. In a 12-month period ending in June of 1962, 2,341 persons served terms in Georgia's state prison system for their inability to pay small fines. Seventy-five per cent of these were Negroes.

The same result is obtained in the setting of bail: the impoverished sometimes must await trial in jail because they cannot raise the amount which allows the well-off offender to be free.

Experts in criminal correction have long argued that an effort should be made to determine the offender's ability to

pay before imposing the penalty. So far the argument has had little effect in the South.

Legal Counsel

An indigent Negro accused of a major crime often must accept a court-appointed white attorney who has little enthusiasm for his case. But even if they have money, Negroes may find it difficult to get an attorney, and in the Deep South, white attorneys are reluctant to accept controversial cases. To do so can cost an attorney his practice and may even result in ostracism by his community. There have been several examples of this in recent years.

Jury Selection

A southern Negro charged with a crime has little chance of being tried by "a jury of his peers." Actually, methods of jury selection work against poor whites as much as against Negroes, and they are unjust in other parts of the United States as in the South. But the record of southern juries in racial cases is a striking and depressing result of the pre-judicial systems of jury selection which prevail.

All-White Justice

Exclusion from juries is not the only way in which Negroes are denied participation in the administration of justice. Only recently have southern cities and states hired a token number of Negro police officers; often their duties are almost entirely confined to Negro neighborhoods.

Very few officers of the southern courts are Negroes. This is as true of southern federal courts as of state and municipal courts. A recent report of the Southern Regional Council included the following statistics:

RACIAL DISTRIBUTION OF OFFICERS AND PERSONNEL
IN SOUTHERN FEDERAL COURTS

	TOTAL	WHITE	NEGRO
Circuit Court Judges	12*	12	0
District Court Judges	65	65	0
Referees in Bankruptcy	55	55	0
U. S. Commissioners	253	253	0
U. S. Clerks	28	28	0
Deputy U.S. Clerks	321	321	0
U. S. Attorneys	29	29	0
Assistant U.S. Attorneys	158	153	5
Jury Commissioners	109	109	0
U. S. Marshals	29	29	0
Deputy U. S. Marshals	165	156	9
Secretarial and Clerical	364	**	**

*This is the number of judges of southern residence now serving on the Fourth, Fifth, Sixth, and Eighth Circuits. The numbers respectively are three, seven, one, and one.

**Exact number of Negroes not ascertainable. The number from observation is quite small.

SOUTHERN JUSTICE

Jury Selection

In a suit attacking the jury system of Jefferson County, Alabama, Charles Morgan, attorney-at-law, noted that selection techniques "differ from state to state and within states from court to court. The federal system differs from state systems. Qualifications differ from state to state. Federal qualifications differ from state qualifications." Some jury commissioners, Morgan pointed out, compile jury lists from telephone books; others use city directories, voter registration lists, the rolls of the Junior Chamber of Commerce, church membership lists, lists of school teachers, automobile owners, American Legion members, property tax payers. The result of such methods is that no real balance of the population is achieved. Jury lists become heavily laden with middle and upper class citizens. The poor, both Negro and white, are automatically excluded and since residential segregation is a fact of life in the South, jury commissioners can even effectively screen out middle class Negroes by close scrunity of their addresses.

The first step in a program of reform should be for local groups to determine how jury panels are chosen in their particular localities. But it isn't enough simply to pressure for change. An alternative should be presented. How can a true cross-section of the population be achieved, as called for in the proposed Civil Rights Act of 1966? Mr. Morgan advances a surer means than is

currently in practice. This is the so-called Kraft method and is, in effect, the methods of opinion research analysts. (John F. Kraft, from whom the name is taken, is president of an opinion and market research firm. He has worked for many years both in the Elmo Roper firm and in the Lou Harris firm.) To select jury panels under this system would be a simple matter of choosing at random a specified number of residential blocks in a given city and from every fifth household making a random selection of citizens eligible to serve on juries -- men and women over 21, upper income and lower income people, white and Negroes. The whole focus of the approach, Mr. Kraft explains, "would be to remove human discretion from scientific sampling, to remove the possibility of bias in selecting the sample."

SOUTHERN JUSTICE

Courtroom Practice -- What Can Be Done

The county courthouse in the South is the last remaining stronghold of publicly sanctioned segregation. Not even the federal government has yet penetrated it. Beyond calling for elimination of discriminatory jury selection methods in state courts, the proposed Civil Rights Bill will not greatly affect accepted practices and procedures at the county courthouse. It will, apparently, be only through local citizen action that change can be brought about. This could be a long and frustrating process. The South has demonstrated its unwillingness to abandon segregation voluntarily and those who take upon themselves the task of reform should be prepared to face a good deal of resistance -- as well as local hostility directed against them. Yet the effort must be made. And it may well be that church women can here be more effective than the more direct action groups. Courts are peculiarly sensitive to any act that might remotely be interpreted as contemptuous. The authority of county judges in contempt cases is very broad. However, local women's organizations, sitting quietly in a courtroom, observing what goes on and later working for reform through community action could hardly be felonious.

Points that observers should be alert for are, of course, evidences of segregation. Such evidence probably won't be hard to find. Negroes may, as a matter of course, automatically sit

on the back row or in the gallery or they may be directed to sit in segregated seats by the court. Water fountains in some county courthouses may still be segregated as may restrooms.

Negroes in southern courts traditionally have been denied normal courtesy titles. Few southern judges or lawyers address Negro witnesses by any other than first names. Listings of witnesses in records of trial sometimes do not include "Mr." or "Mrs." titles for Negroes. Negro attorneys are frequently addressed as "Colonel," "Captain," "Preacher," by the court to avoid the use of "Mister."

Another project of the group could be analysis of cases where a Negro and a white man are accused of comparable crimes. The group could sit in on the entire proceedings first of one and then the other. Notes could be kept on how both proceedings were handled, with special attention to the court's attitude toward the defendant, the comparative energies of white defense attorneys on their client's behalf, interrogation of Negro and white witnesses -- and jury panel selection. If both defendants were convicted, a comparison could also be made of the sentences given; follow-through could be made of jail and prison conditions.

SOUTHERN JUSTICE

The Various Courts

Normally one thinks of only two types of courts -- state and federal. While this is, of course, basically the case, state courts are broken down into many categories.

Descriptive names vary from state to state but basically a state court system works this way. Superior courts (or district courts, circuit courts -- depending on the title used within the states) normally will have original and concurrent jurisdiction in all civil and criminal causes -- with the exception of administration of estates which would be under the jurisdiction of probate or ordinary courts. In some states superior courts also have jurisdiction in equity cases (those where injunctive relief is sought) while other states have separate equity (or chancery) courts. Divorce cases and cases involving titles to real estate will also normally fall under the jurisdiction of superior courts -- though some states again have separate court divisions for handling such cases.

Subordinate to the superior courts are the various municipal and county courts which have been created to take the heavy burden of minor civil and criminal cases from the higher court. Some of these include: police or recorder's courts used primarily for the disposition of minor offenses -- such as traffic violations -- and the binding over of greater offenders to higher courts; criminal courts which will handle misdemeanors; county civil courts which will have jurisdiction over civil cases where the sum involved is comparatively small. This sum may vary from state to state, but rarely is over $500.

SOUTHERN JUSTICE

The Rights of Individuals in the Hands of Police

Negro distrust of white policemen is widespread both in rural areas and in the cities; both North and South. Such suspicion is not unjustified. For too long the white policeman has been the secular arm of segregation and racial discrimination and his methods have been no credit to his community or to his profession. Despite efforts of progressive city and county administrations in recent years to eliminate not only police brutality but police violation of individual and human rights, a great deal more effort needs to be made. Citizens groups thus should familiarize themselves with the rights of individuals in the hands of police. The following is a summation of those rights: (Source: Criminal Law and Punishment, P. J. FitzGerald, Oxford University Press, 1962; pp. 175-180.)

1. Search and entry -- no one must submit to being searched unless he is a suspect who has been arrested.
2. Arrest -- police cannot detain a subject for questioning without a warrant;
   Police cannot make an arrest without a warrant unless he reasonably suspects a felony having been committed;
   Arresting officer must bring an accused person (if arrested without a warrant) before a judge as soon as possible. Superior officer in charge must inquire into case and may release the accused on bail if the case is not serious. He must release him if accused does not come before a judge within 24 hours;
   When brought before a judge, the prisoner has

the right to demand bail; if refused, he can appeal to higher court. Bail must not be excessive;

The remedy for a person wrongfully detained is to apply for a writ of Habeus Corpus to a judge, requiring accuser and accused to go before a judge where cause of arrest is to be stated. If court is not satisfied that a valid reason exists for detaining the accused, the prisoner is to be instantly released.

A decision of the U. S. Supreme Court handed down June 13, 1966, directly affects the rights of individuals in the hands of police. The ruling holds:

1) that an individual must be warned prior to questioning that he has the right to remain silent;
2) that he must be warned that any statement he makes may be used against him in court;
3) that officials must inform him of his right to have legal counsel present at the time he is questioned;
4) that he must be told by authorities that if he does not have money enough to employ an attorney, he has the right to have one appointed by the court to represent him; to consult with him before making any statement; and to have him present while he is making a statement;
5) that if an accused person requests legal representation no questions will be asked him until an attorney is present.

TITLE I - FEDERAL JURIES

From the proposed

"Civil Rights Act of 1966"

The present statutes reflect the will of Congress that federal juries be composed of a cross-section of the community. But these laws do not provide sufficient guidance to jury commissions across the nation as to how they shall carry out this Congressional purpose. The result has been the use of varying sources of names of prospective jurors, differing systems of selection and diverse tests of qualification. While this uncertain system appears not to have operated unconstitutionally, in some districts Negro representation on juries has been substantially less than the proportion of Negroes in the community, and other classes have sometimes been inadequately represented on juries. In any event, the system used in many districts is an imperfect means of insuring that the will of Congress is carried out, and carried out uniformly.

Title I of the "Civil Rights Act of 1966" is drawn to eliminate uncertainty and make clear beyond dispute that each judicial district or division is fulfilling its constitutional and statutory obligations in selection and assignment of jurors. It sets forth the sources from which potential jurors are to be drawn and the procedures to be followed in selecting jurors and testing their qualifications.

Title I declares it to be the policy of the United States that all qualified persons shall have the opportunity to serve on grand and petit juries in federal courts and shall have an obligation to serve when summoned. It prohibits discrimination in the selection of federal jurors on account of race, color, religion, sex, national origin, or economic status.

The bill requires that the names of prospective jurors be taken at random from the voter registration rolls, which are defined to include lists of eligible voters prepared by federal examiners under the Voting Rights Act of 1965. The voter rolls are considered to be the best universally available source of names substantially reflecting a full and fair cross-section of the community. Where, however, the judicial council of the circuit determines that use of the voter rolls as the exclusive source of names would not be consistent with the prohibition of discriminatory selection, the council would be required to prescribe other sources of names in addition to the voter rolls. It is anticipated that it will be necessary to prescribe additional sources of names for use in some districts where Negroes are at present not fairly represented on the voting rolls.

The qualifications for jury service prescribed by existing law are retained, but it is provided that all persons found in accordance with objective criteria to possess such qualifications are to be

deemed qualified as jurors. Under the present law, the statutory qualifications may have been regarded as establishing the minimum to be required, leaving the courts and jury commissions free to impose more stringent qualifications. The bill makes clear that the qualifications set a ceiling, that requirments beyond those listed may not be imposed.

Title I also provides a ready means for challenging jury selection in criminal and civil cases on grounds that the procedures established by the bill have not been followed. This challenge procedure is made available prospectively, and should be a major guarantee of the equal rights which are the objective of the legislation.

TITLE II - STATE JURIES

Title II of the "Civil Rights Act of 1966" is based on the power of Congress to enforce the Fourteenth Amendment by "appropriate legislation" and is designed to eliminate unconstitutional discrimination in the selection of grand and petit juries in State courts. This title provides that no persons shall be denied the right to serve on State juries on account of race, color, religion, sex, national origin, or economic status. In areas in which such discrimination is not practiced, existing jury selection procedures would not be upset. Where discrimination still exists, this title provides the means to eliminate it.

Title II has two principal features. First, it authorizes the Attorney General to bring civil actions in the federal courts for injunctive relief against discriminatory practices in State court jury selection. Under existing law, the Attorney General has no authority to initiate jury discrimination suits but may only intervene (under Title IX of the Civil Rights Act of 1964) in private suits. The authority vested in him by this title would be similar to the authority the Attorney General now has to seek injunctions against discrimination in voting, public accommodations and employment and, under Title III of this bill, against discrimination in public schools and facilities.

Upon a finding of discrimination, the court is expressly authorized to grant specified kinds of effective relief, including a decree which would, (1) prohibit the use of any qualification or ground of exclusion, exemption or excuse which has been administered in a discriminatory manner or which lends itself to such abuse; (2) require the use of objective criteria in determining qualifications, exclusion, exemptions, or excuses; (3) require maintenance of such records as may be necessary to show, in the future, whether discrimination is being practiced; and (4) appoint a master to perform the duties of the State jury officials. In addition, the court may grant other appropriate relief under general equitable principles.

The second principal feature of this title deals with the need for disclosure and development of information relevant to the question whether discrimination results from the system for selecting jurors. This objective is accomplished by a challenge procedure which may be used by the Attorney General in a suit under this title, private litigants residing in the area who seek to enforce the prohibition against discrimination by a civil action under 42 U.S.C. 1983, or a defendant in a criminal case or convicted person attacking collaterally a criminal conviction.

Upon the filing of an allegation of discrimination, appropriate State officials are required to furnish a "written statement of jury selection information." This statement is to describe in detail the procedures followed by the State jury officials in selecting jurors--including the sources of names of prospective jurors, the criteria used in determining qualifications for jury service, and the methods used for summoning jurors and assigning them to jury panels. The complaining party may cross-examine jury officials and introduce any other relevant evidence that may be available in support of the challenge. If, at that point, there is some evidence of discrimination, the complaining party is given access to any other relevant records of jury selection which are not otherwise publicly available and these may be introduced in support of the challenge. If the court then determines that there is probable cause to believe that discrimination has occurred, it is the responsibility of the State to produce additional evidence demonstrating that the alleged discrimination did not occur.

This provision meets twin considerations. It affords interested parties and the court access to the relevant records of jury selection needed to permit a fair determination whether discrimination has occurred or may occur. In addition, it assures that records may be kept confidential except as necessary to the court proceeding. Use of this challenge procedure in collateral attacks upon criminal convictions is available only with respect to judgments of conviction entered after the effective date of the title.

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"Federal District Judges and Race Relations Cases in the South," Kenneth N. Vines, Journal of Politics, V. 26, May, 1964.

"Academic Ideologies, Judicial Attitudes, and Social Change," Glendon Schubert, (unpublished manuscript of a paper presented at the Southern Political Science Association convention in Atlanta, November 4, 1965. Mr. Schubert is at Michigan State University).

"Judicial Performance in the Fifth Circuit," Stephen R. Field, Yale Law Journal, V. 73, November, 1963.

"The Overloaded Fifth Circuit: A Crisis in Judicial Administration," Charles Alan Wright, Texas Law Review, V. 42, October, 1964.

"58 Lonely Men," J. W. Peltason, Harcourt, Brace & World, New York, 1961.

Report of the Committee on Judiciary to the 39th Annual Convention, National Bar Association, Baltimore, Maryland, August 19, 1964. The Report may be obtained from Edward B. Toles, Chairman of the Committee, 100 North La Salle Street, Suite 715, Chicago, Illinois, 60602.

"Racial Discrimination in the Southern Federal Courts," Southern Regional Council, 5 Forsyth Street, N.W., Atlanta, Georgia, April, 1965.

"The Jury System in the Federal Courts," Report of the Judicial Conference Committee on the Operation of the Jury System, 160 pp, West Publishing Co., St. Paul, Minnesota.

Report of the state senate capital punishment study committee to the Governor of Georgia and members of the General Assembly, February 1, 1966.

"National Prisoner Statistics: Executions, 1930-1964." The Department of Justice, Washington, D. C.

"Criminal Law and Punishment," P.J. FitzGerald, Oxford University Press, 1962, pp. 175-180.

"That God, which ever lives and loves,
One God, one law, one element
And one far-off divine event,
To which the whole creation moves."

—Lord Alfred Tennyson

"We would remind ourselves that the future of our nation rests upon the character, the vision, the high principle of our people. Democracy, brotherhood, human rights—these are practical expressions of the eternal worth of every child of God. With His guidance and help we can move forward toward a nobler social order in which there will be equal opportunity for all."

—"To Secure These Rights"
The Report of the President's
Committee on Civil Rights

A PROPOSAL DESIGNED TO IMPLEMENT A PROGRAM IN ORDER TO IMPROVE THE ATTITUDES OF CITIZENS IN 12 ARKANSAS COUNTIES REGARDING LAW ENFORCEMENT

John Walker - 374-3758

Brooks
Lair
McSwain

Submitted by:

Community Organization Methods
Builds Absolute Teamwork

Rev. Cato Brooks, Director
1119 Park Street
Little Rock, Arkansas
Phone: "501"-374-3447

Pat Hoerl
Eligah Coleman
Attya Donaway

[Sterling King from Lee Co. called J.L.]

COMMUNITY ORGANIZATION METHODS BUILDS ABSOLUTE TEAMWORK

INTRODUCTION

The deep hostility between the police and the ghetto community is a primary cause of some of the disorders which have taken place in the State of Arkansas. The policeman is only a symbol of the authority which has responded to the cries of violence and turmoil created by a rebellious community unwilling to submit to an unjust law enforcement system or to a system that appears to be unjust. The police is also a symbol of a society which many minority groups feel is repressive.

In the State of Arkansas there is a need for a program designed to bring about harmony between the police and the community. A survey of the needs reveals that there are four problems.

1. The lack of adequate information by the citizens regarding the responsibilities and objectives of law enforcement.

2. Lack of respect for law enforcement caused by law enforcement officers who misuse their powers.

3. Lack of understanding by the policemen of the needs of minorities and other ethnic groups.

4. Prejudice and the historical problems of racism.

The project proposed herein is designed to improve the attitudes of citizens regarding law enforcement and law enforcement officials, and to improve the relationship and understanding between the

police and the community.

BACKGROUND AND HISTORY

The "COMBAT" (Community Organization Methods Builds Absolute Teamwork) was organized in January 1970 as a non-profit corporation under the laws of the State of Arkansas. The basic purpose of this corporation is to improve the health, education, welfare, economic and social well-being of disadvantaged people in the State of Arkansas.

The leadership of "COMBAT" is an outgrowth of the Committee for Peaceful Co-existence which was organized in March 1969 during the Forrest City crisis. The leadership of "COMBAT" has worked with Governmental Agencies, as well as private non-profit groups in order to eliminate problems which plagued the poor and the disadvantaged.

"COMBAT" has worked with the following organizations:

1. Arkansas Council on Human Relations
2. The New Economic Conference
3. The Governor's Office
4. AFL-CIO
5. Shorter College
6. Arkansas Chamber of Commerce
7. Arkansas Industrial Development Commission
8. Governor's Council on Human Resources
9. Little Rock Urban League

10. Various Municipalities throughout the State

WORK PROGRAM

The general approach for solving some of the problems which exist between the police and citizens of various communities of the State of Arkansas will combine the efforts of the local police department in an attempt to improve the amount of understanding regarding law enforcement procedures and powers. A total of twelve communities throughout the State of Arkansas will be selected as target communities in which a program of police and community relations will be implemented. The basic thrust of the Work Program will involve the following elements:

1. The organization of a local citizens police task force involving citizens and policemen.

2. The development and dissemination of materials explaining the responsibilities and authority of law enforcement officials.

3. The development of a program designed to enhance the understanding of the police regarding cultural and ethnic differences of minorities.

4. The development of a program designed to improve the recruitment opportunities for minorities in the law enforcement profession.

The success of this approach will depend upon the cooperation of citizens of each community and the leadership and guidance of the local law enforcement department. The participants in this program will include both county and city officials.

The above suggested program will be implemented in the order

that the tasks are presently listed. The staff of "COMBAT" will be responsible for bringing together the elements in the law enforcement system and in the community that will enable the Work Program to be implemented. In addition to the regular responsibility for organizing and implementing the police and community relations program, the "COMBAT" staff will work as a primary recruiter for State, County, and City law enforcement positions and encourage minorities to enter the profession with the hope of improving the present law enforcement system and expanding opportunities for the employment of minorities.

The implementation of the entire Work Program will be supervised by the Board of Directors of "COMBAT" working jointly with an Advisory Board of law enforcement officials and citizens at large selected and appointed by the Board of Directors of "COMBAT". This program is designed to basically improve the procedures used by citizens in obeying the law and to facilitate understanding between the communities and the law enforcement system.

"COMBAT" is funded by contributions from private foundations and individuals. The present budget is approximately $70,000.00 a year.

RESUME

Rev. Cato Brooks

ADDRESS

Present:
1119 Park Street
Little Rock, Arkansas
Telephone: 374-3447

Permanent:
1128 Purifoy Street
Forrest City, Arkansas
Telephone: 633-1677

PERSONAL DATA

Date of Birth: 1-26-40 Weight: 210
Height: 5'11½" Married
Draft Status: Disc. 2-12-62 U. S. Citizen

EDUCATION

Lincoln High School, Forrest City, Arkansas
Southern University, Baton Rouge, Louisiana
Kansas University, Lawrence, Kansas

CIVIC OR PROFESSIONAL ORGANIZATIONS

Community Organization Methods Build Absolute Teamwork

WORK EXPERIENCE

Minister in the Community
Stock Selector for Eaton Yale & Towne, Forrest City, Arkansas
Stock Handler for Hall Mack Cards, Lawrence, Kansas
Spot Welder for General Motors, Kansas City, Missouri

REFERENCES

Mr. Don Klosterman, Baltimore Colts Front Office

Mr. K. B. M. Crooks, Sr., National Urban League, Atlanta, Ga.

Rev. T. Rogers, S.C.L.C., Affiliate Director

POSITION

Project Director

RESUME

Rev. Levern Swain

ADDRESS

Present:
1210 East Second Street
North Little Rock, Arkansas

Telephone: 375-4812

Permanent:
Same

PERSONAL DATA

Date of Birth: 7-9-46 Weight: 215 lbs.
Height: 5'10" Married
U. S. Citizen

EDUCATION

Scipio A. Jones High School
Urban Training Center, Chicago, Illinois
International Theological Center, Atlanta, Georgia

CIVIC OR PROFESSIONAL ORGANIZATION

Community Organization Methods Build Absolute Teamwork

WORK EXPERIENCE

Minister-Second Street Baptist Church, North Little Rock, Arkansas
Community Organizer, Economic Opportunity Agency, Little Rock, Ark.
Stock Clerk, Rye Auto Supply, 113 Washington, Little Rock, Ark.
Common Labor, Midwest Casting Company, Baseline Road, Mableville, Arkansas

POSITION

Assistant Project Director

RESUME

Rev. Roy Lee Laird

ADDRESS

Present:
General Delivery
Cotton Plant, Arkansas
Telephone: 459-3717

Permanent:
Same

PERSONAL DATA

Date of Birth: 7-26-32 Weight: 286
Height: 5'9½" Married
Draft Status: Disc. 1-55 U. S. Citizen

EDUCATION

Brown High School, McCrory, Arkansas

Philander Smith College, Little Rock, Arkansas

Other: General Education; Instructor in Theology
Two Years Public Relation

WORK EXPERIENCE

Ministry Work, Augusta, Arkansas

Public Relation - Little Rock, Arkansas

CIVIC OR PROFESSIONAL ORGANIZATION

Community Organization Methods Build Absolute Teamwork

POSITION

Field Worker

RESUME

Bettye Joyce Davis

ADDRESS

Present:
2105 High Street
Little Rock, Arkansas 72202
Telephone: 372-5592

Permanent:
Same

PERSONAL DATA

Date of Birth: 8-4-39 Divorced
Height: 5'7" Female
Weight: 135 lbs. U. S. Citizen

EDUCATION

Horace Mann High School, 24th & McAlmont, Little Rock, Arkansas
Arkansas Baptist College, Little Rock, Arkansas
Henderson State College, Arkadelphia, Arkansas
3rd year - majoring in Business Administration

WORK EXPERIENCE

Office Manager and , Urban League, Little Rock
Duties: Handled all finances, kept 5 sets of books, managed general office and supervised clerical workers.

Registrar - Booker Jr. High School, Little Rock, Arkansas
Duties: Private Secretary to Principal; kept all cumulative records on entire enrollment.

Administrative Secretary, Urban League, Little Rock, Arkansas
Duties: General Office - Bookkeeping.

Typing 70-75 wpm; Shorthand 70; Business Machines: Mimeograph, Copy Machine, Calculator, Dictaphone, Other training PBX.

CIVIC OR PROFESSIONAL ORGANIZATION

Community Organization Methods Builds Absolute Teamwork

POSITION

Secretary-Bookkeeper

C O M B A T

Budget Request

Police - Community Relations Program

1. Salaries.....$63,400.00

Position	Annual Salary
A. Project Director	9,000.00
B. Assistant Director	8,000.00
C. Six Field Workers @ $6,000.00 each	36,000.00
D. Secretary Bookkeeper	5,400.00
E. Consultant Services (Specialist)	5,000.00
Total Salaries	63,400.00

2. Fringe Benefits.....$ 4,881.80

F. I. C. A. 4.8%	3,043.20
Unemployment Comp. 2.9%	1,838.60

3. Travel.....4,350.00

A. Out of State 2 Trips @ $175.00 each	350.00
B. In-State 30,000 miles @ .10 per mine	3,000.00
C. Per Diem 50 day @ 20.00 each	1,000.00

4. Space.....1,800.00

150 per month X 12 months

5. Equipment Rental..... 800.00

6. Utilities..... 2,400.00

Telephone $200.00 per month X 12 months

7. Consumeable Supplies 600.00

TOTAL FUNDS REQUESTED $78,231.80

Ark. a pilot state —
for Cons. confidentiality of law enforcement
Gov's office would back request —
└ Robert Fisher — special projects
FR 2-5451
P.R. └ Cunningham worked on the proposal
Ark. Council should carry —

County by County approach
County judge more important than gov.
└ Can bar implementation

Woodruff Co (

Statewide Voter ed is impossible
└ generalized approach —

Voter Regis — get out vote — Select Candidate —
Pol. Ed —

(5) Counties — (Tri) County area — 82% unemployed —
Just get off Commodity to food stamps —
└ (lack of money)

Coleman — has not seen proposals —
it ties to gov's office
possible proliferation
Cato — o.k.

A PROPOSAL DESIGNED TO IMPROVE THE ATTITUDES IN TWELVE ARKANSAS COUNTIES REGARDING POLITICAL EDUCATION AND ECONOMIC DEVELOPMENT

Submitted by

Community Organization Methods
Build Absolute Teamwork

Rev. Cato Brooks, Director
2912 Izard Street
Little Rock, Arkansas
Phones: 374-3447 or 374-6431

COMMUNITY ORGANIZATION METHODS BUILD ABSOLUTE TEAMWORK

Because there are people who are ignorant to politics in almost every community in the state of Arkansas, COMBAT has decided to focus most of its attention in a Political Education Program. The poor people all over Arkansas are unaware of the part they can play in determing their destinies. Many poor people still think they are not suppose to become involved in the political activities in their communities. It is the purpose of COMBAT to make sure that these people become aware of their civic duties. To further show how important this kind of program will be, there are several communities in our state where the people are not aware that they have mayors and aldermen. They merely think that if you are white and own a business you are suppose to run the town. This kind of thinking is prevalent in Strong, Arkansas (Union County). We would like to show step by step how COMBAT plans to eliminate this problem in the state of Arkansas.

1. First, we must come up with non-political issues to motivate people to the point where they want to make a change.

2. The community must become involved in all of the activities in their area.

3. We must not dwell on racial issues in a way where they will split the community but use those same racial issues to arouse the black community to the point where they are ready for the changes. We must then use the same issues to arouse the consciensics of the white communities so they will be willing to work hand and hand with the black communities to bring about this change.

4. Since we have local organizations already established in most of the communities, we work through these for voter registration, education and participation.

5. We must convince poor people to run for public offices as we are doing in several communities.

6. COMBAT feels in order for Arkansas to change, we must change the political system in this state and this has to be done town by town and county by county. In Arkansas every county judge has more power than the governor of Arkansas.

our local affairs

7. COMBAT feels the small towns are where most of the hard core racism is and this is where we will work to organize first.

8. COMBAT feels it must make people aware of the problems that can be changed.

PART II

Part II of our Community Organization Program is Economic Development. We are going to encourage every community to get involved to the point where we will have community owned industries. We will encourage churchos, civic clubs or any organization to involve themselves in this program. Let's see why we have chosen this route. In the state of Arkansas we still have the white masters with plantations who keeps the poor white man and poor black man completely ignorant and divided. We believe the ultimate answer is industry and to organize the workers in labor unions, where they will be struggling and sharing each others problems and will forget one is black and the other is white. We must make a change in our state and in our country, or our nation is doomed. Ignorance breeds poverty, filty, hate, racism and this can destroy any nation. We feel that before

expertise

Could get Univ of Ark help (promised?)

Part II can be effective, part I must be worked to perfection.

In Arkansas there are families who live on Five Hundred Dollars, (500.00) or less a year, on plantations in houses that are not fit to stand and are surely not liveable.

Working hand and hand with organized labor we feel we can upgrade the standard of living for most of these people. This is why we feel getting poor people involved in their own problems will inspire them to want to elect public officials who are interested in the problems of the poor and who are not interested in getting richer by making the poor poorer.

COMBAT believes that Economic Development is the foundation America is built on. Every aspect of our life is affected by our economic system. Black people have been denied the opportunity to pursue this part of American life. COMBAT knows that ownership of money and property with the ability to supply or withhold labor makes it almost impossible to live for those people who are victims of this kind of economic pressure. Therefore our efforts will not only be directed toward starting industry and training for those people who are without, or are not earning a living wage on jobs they have, but efforts will be made to increase black memberships in labor unions who have had their doors closed in the black man's face. This is a program that should be in full swing in three to five years.

This is what COMBAT IS ABOUT. This is where we get our name COMMUNITY ORGANIZATION METHODS BUILD ABSOLUTE TEAMWORK. We plan to live by this or die trying.

C O M B A T

Budget Request

I. SALARIES 63,400.00

Position	Annual Salary
A. Project Director	9,000.00
B. Assistant Director	8,000.00
C. 6 Field Workers @ 6,000	36,000.00
D. Secretary-Bookkeeper	5,400.00
E. Consultant Services (Specialist)	5,000.00
TOTAL SALARIES	63,400.00

II. FRINGE BENEFITS.....4,881.80

F.I.C.A. 4.8%	3,043.20
Unemployment Comp. 2.9%	1,838.60

III. TRAVEL.....4,350.00

A. Out of State 2 trips 2 $175.00 each	350.00
B. In-state 30,000 miles 2 .10 per mile	3,000.00
C. Per Diem 50 days @ 20.00 each	1,000.00

IV. SPACE 1,800.00

$150 per month X 12 months 1,800.00

V. EQUIPMENT RENTAL.....800.00

VI. UTILITIES.....2,400.00

Telephone $200 per month X 12 months

VII. CONSUMEABLE SUPPLIES.....600.00

TOTAL FUNDS REQUESTED 78,231.80

N E W S
from
The Urban Coalition
1819 H Street, N. W.
Washington, D. C. 20006
202-223-9500
(Tom Mathews)

September 19, 1969

FOR RELEASE 11 AM, WEDNESDAY, SEPTEMBER 24, 1969

KATZENBACH CREDITS URBAN COALITION FOR PROPOSED REFORMS BY CITIES IN CRIMINAL JUSTICE

Nicholas deB. Katzenbach said today that more than a dozen cities from Newark, N. J. to Riverside, Calif. have launched significant programs to reform their systems of criminal justice because of impetus generated this year by the Urban Coalition.

Katzenbach, former U. S. Attorney General and Chairman of the Urban Coalition's Law and Government Task Force, said the programs range from reform of bail abuses, to job training for young offenders, to improvement of police-community relations.

At a news conference in Washington, he touched on these local programs:

In Newark, the Newark Urban Coalition is sponsoring a community-run project based on the Manhattan Court Employment Project, which provides training and jobs instead of trial and jail for some young offenders.

The local coalition in Detroit, the New Detroit Committee, at Mayor Cavanaugh's request, has undertaken a broad scale evaluation of the city's police-community relations program to recommend ways of improving and restructuring it.

(more)

The Riverside coalition works with the local correction agencies to provide vocational training for offenders about to return to the community.

The police departments of New Orleans and Detroit have announced they will set up detoxification centers modeled after the Manhattan Bowery Project, which views alcoholism as a disease and aims at rehabilitation instead of the hopeless treadmill of repeated detention and release.

The Denver coalition is designing a project to reform bail procedures.

Members of the Los Angeles coalition's task force monitored the Watts Summer Festival in an effort to reduce tensions between police and the people attending the Festival.

In Bridgeport, Connecticut the coalition has devised a program to improve police relations with Bridgeport youth.

Much of the impetus for these and other similar programs, Katzenbach said, came from an Urban Coalition conference of 70 municipal and local coalition leaders in New York in April. He released a report of that meeting at the news conference along with a statement submitted by him for the Urban Coalition earlier in the day to Congressman Claude Pepper's House Select Committee on Crime.

Delegates to the New York conference viewed some of the programs of the Vera Institute of Justice, a private organization known nationally for its pioneering work to reform abuses in the

(more)

criminal justice system, and the Criminal Justice Coordinating Council (CJCC), a public agency established in 1967.

"The excitement that the delegates felt was evident in their comments throughout the meeting," the report said. "But what was even more significant was the prompt action they took when they left. Within a few days after returning home, most of the delegates held press conferences to announce their plans for revamping their cities' criminal justice systems.

"In several cities, such as Cleveland, Ohio...the New York meeting spurred officials from the mayor's office to set up both a Criminal Justice Coordinating Council and an organization like Vera."

A number of local programs, including the detoxification clinics and the bail reform project in Denver, were modeled on the Vera-CJCC successes in New York.

On the heels of the New York conference, the Urban Coalition issued a report in June showing widespread deficiencies in state planning under the Safe Streets Act.

Most states in a 12-state survey, the report showed, were failing to include local, community and business leaders in their planning and failing to develop sound plans for reform of the criminal justice system.

Katzenbach said he was hopeful that the local program reforms he outlined, all of which involve citizen participation, would promote broader representation in the state planning process as well as spotlight for planners workable models for

(more)

reform of criminal justice systems. Both broad representation in planning and sound planning for reform are required by the Safe Streets Act for Federal grants-in-aid, which may amount to as much as $1 billion in years to come.

In today's statement to the Pepper Committee, Katzenbach said, "The range of projects which coalitions have developed or initiated for criminal justice agencies is growing every day.

"Some have involved the development of citizen complaint mechanisms; one has established, with the consent of the local police department, a panel of concerned citizens to monitor police activities (St. Paul); several have undertaken efforts to extend the availability of legal services to low-income people (including Minneapolis).

"When working with the criminal justice system -- whether it be with the police, the courts or correctional institutions -- our role has not been to supplant the operations of existing agencies but to stimulate them to more effective performance. In a few instances, where this approach has not seemed adequate, we have initiated small demonstration programs with the expectation that once they have proven themselves, they will be taken over by the system.

"In selecting programs for coalition involvement, we have sought to maximize the unique resources which we as an organization possess. Translated into action, this has meant that many local coalitions have served as mechanisms through which broken

communications lines between community residents and police can be restored. Since each of our coalitions include inner-city residents as well as leaders from other segments of city population -- including city hall -- this has been a natural function for us to perform."

The local programs, he said, "are evidence of an impressive grass roots attack on inequities and waste in criminal justice systems. They are helping break down hostilities between law enforcement officers and the communities they serve; they are recognizing and taking action to correct abuses; they are making criminal justice systems more just, more manageable and more efficient."

The Urban Coalition

1819 H Street, N.W.
Washington, D. C. 20006
Telephone: (202) 223-9500

CHAIRMAN: John W. Gardner
CO-CHAIRMEN: Andrew Heiskell / A. Philip Randolph

September 22, 1969

NOTICE TO THE PRESS

Former Attorney General Nicholas deB. Katzenbach will hold a press conference Wednesday, September 24, at 11:00 a.m. in the 13th floor ballroom of the National Press Club, National Press Building, Washington, D.C.

As Chairman of the national Urban Coalition's Law and Government Task Force, Mr. Katzenbach will discuss significant programs launched by several cities throughout the country to reform their systems of criminal justice.

For further information contact:

Tom Mathews
Director of Communications
202-223-9500

CON·TACT

The Official Publication of
The United States Jaycees
Correctional Programming
Office of The Coordinator
P.O. Box1826
Lincoln, Neb,68501.
Vol. VII No.9
August–September 1969.

AN HONEST APPROACH
If you can believe an editorial . . .

"Jails are rotten" . . . "The screws who work in this joint ain't worth a damn" . . . "Corrections aren't doing the job" . . . "No real programs exist in this institution" . . .

These are just a few of the comments tossed about by inmates and the so-called concerned public every day. I've probably been in more joints (Correctional institutions if you prefer) than any of you even knew existed. I can also point to the faults and the problems. I agree with the revolving door theory which says a man goes into prison, out of prison, and back into prison because of a lack of proper programing, trained personnel, individual help, etc. However, I cannot let myself off the hook by claiming that it is the fault of the system or "man" (Warden). It's like saying that crime is on the rise because of poorly trained police. Obviously, both the approach to corrections and to crime leave out the real failure – you and me. If we look hard at the correctional administrators we will find that almost every progressive move has come from within the system – work release, furlough, parole, group therapy, etc.

As a matter of fact, it was the professionals in the National Prison Association Congress of 1870 who included among their declaration of principles the following:

II. The treatment of criminals by society is for the protection of society. But since such treatment is directed to the criminal rather than to the crime, it's great object should be his moral regeneration. Hence the supreme aim of prison discipline is the reformation of criminals, not the infliction of vindictive suffering.

IV. Since hope is a more potent agent than fear, it should be made an ever-present force in the minds of prisoners, by a well-devised and skilfully-applied system of rewards for good conduct, industry and attention to learning. Rewards, more than punishments, are essential to every good prison system.

V. The prisoner's destiny should be placed, measurable, in his own hands; he must be put into circumstances where he will be able, through his own exertions, to continually better his own condition. A regulated self-interest must be brought into play, and made constantly operative.

VI. The two master forces opposed to the reform of the prison systems of our several states are political appointments, and a consequent instability of administration. Until both are eliminated, the needed reforms are impossible.

XIV The prisoner's self-respect should be cultivated to the utmost, and every effort made to give back to him his manhood. There is no greater mistake in the whole compass of penal discipline, than its studied imposition of degradation as a part of punishment. Such imposition destroys every better impulse and aspiration. It crushes the weak, irritates the strong, and indisposes all to submission and reform. It is trampling where we ought to raise, and is therefore as unchristian in priniciple as it is unwise in policy.

XXII More systematic and comprehensive methods should be adopted to save discharged prisoners, by providing them with work and encouraging them to redeem their character and regain their lost position in society. The state has not discharged its whole duty to the criminal when it has punished him, nor even when it has reformed him. Having raised him up, it has the further duty to aid in holding him up. And to this end it is desirable that state societies be formed, which shall co-operate with each other in this work.

XXVI While this congress would not shield the convicted criminal from the just responsibility of his misdeeds, it arraigns society itself as in no slight degree accountable for the invasion of its rights and the warfare upon its interests, practiced by the criminal classes. Does society take all the steps which it easily might, to change, or at least to improve, the circumstances in our social state that lead to crime; or, when crime has been committed, to cure the proclivity to it generated by these circumstances? It cannot be pretended. Let society, then, lay the case earnestly to its conscience, and strive to mend in both particulars. Offenses, we are told by a high authority, must come; but a special woe is denounced against those through whom they come. Let us take heed that woe fall not upon our head.

You've heard it before? Matter of fact, you're saying it now! FORGET IT . . . It's been said for OVER 100 YEARS – by the people you criticize. No, I don't think all administrators are great and all systems have no faults . . . but I do think that if You and I had joined the Professionals 100 years ago, we might just have many of the improvements we want today.

Next time, before you criticize someone else for the lack of progress, first look at the local, and state legislation or financing that has failed in your area. Undoubtedly, it failed because you and your buddies were too busy to support that legislation. Remember, the administrators do what the legislators allow or force them to do; and the legislators do what you allow or force them to do. So get off your soap box, quit talking, start doing.

Find out what laws that would have helped corrections have been defeated in the last five years in your area and start a campaign to get those laws passed. After you get the laws passed, don't forget to make sure the lawmakers fund them.

Remember, when a major television network, local paper, or an individual blasts the Incompetent Correctional System for failing to correct, they are really not giving us a window to look through at the faults of professionals — rather they are holding up a mirror so we can see the reflection of the real reason no progress has been made — us and our apathy.

SEND SLIDES, PICTURES, ARTICLES, ETC., SHOWING HOW PUBLIC INVOLVEMENT HAS HELPED (OR HURT) CORRECTIONS IN YOUR AREA . . . BE SPECIFIC AND FACTUAL . . . NO FLOWERY GENERALIZATIONS!!!

Gary Hill, Consultant
Crime and Correction
The United States Jaycees
P. O. Box 1826
Lincoln, Nebraska 68501

FROM THE GOVERNOR'S COMMITTEE ON CRIMINAL OFFENDERS

THE CORRECTION SIDELIGHTS of the City of New York Department of Correction . . .

Governor Rockefeller's Special Committee on Criminal Offenders recommended sweeping revisions in the State's procedures for dealing with criminal offenders and juvenile delinquents in a preliminary report submitted recently.

According to the Committee, the New York State system is one of the finest to be found anywhere, and the various agencies are performing their assigned functions as well as possible. However, what is needed, the Committee asserts, is an entirely new system to meet modern demands. It has been pointed out that the Committee's recommendations would be equally applicable to most jurisdictions in the country.

New York State must reorganize its offender treatment system, the Committee stated, so that treatment can be administered as a continuous process from conviction to final discharge. The fragmentation of the existing treatment system into probation, correction and parole agencies bars effective rehabilitative efforts, the Committee continued. With these points as keynotes, the Committee recommended:

Establishment of a single State agency — a Department of Rehabilitative Services — to provide treatment for all criminals and delinquents.

Adoption of a revolutionary new system for exploring the causes of recidivism and for linking treatment methods to specific treatment needs.

Creation of a new system for handling diagnosis and treatment through the use of interdisciplinary diagnostic panels and treatment teams.

Establishment of regional centers throughout the State for diagnosis, for preparation of pre-sentence and pre-disposition reports, and for certain treatment functions.

Establishment of three central control boards, one for children, one for youth and one for adults that would set program standards, supervise diagnosis, and make decisions as to who should be under supervision and who should be kept in institutions.

Complete revision of the youthful offender procedure.

In addition, the Committee recommended the establishment of a new Department of Rehabilitative Services. Under the plan recommended by the Committee, the new Department would:

Absorb most functions of county-operated probation departments.

Assume treatment of persons presently sentenced to county jails and penitentiaries, including possible State takeover of New York City's Rikers Island institutions.

Absorb the training schools and after-care services presently within the Department of Social Services.

Absorb the facilities and after-care programs presently within the State Division for Youth.

Assume all functions of the State Department of Correction.

Assume all functions of the State Board and Division of Parole.

Absorb certain functions of the recently established Narcotic Addiction Control Commission.

Other recommendations of the Special Committee include:

Transfer of many treatment decisions from the courts to the new Department.

Creation of unified treatment information files.

Creation of several new sentencing innovations.

Elimination of the State Probation Commission.

Dissolution of the State Board of Parole as a separate body.

Narrowing the functions of the State Commission of Correction, the State Board of Social Welfare and the State Judicial Conference.

The Committee added that the present system is severely handicapped by ancient procedures and restrictions that cause: overlapping functions; confusion of agency objectives; gaps in agency services; tangled channels for transfer, communication and research; a jungle of legal statuses; fragmentation of operations; lack of flexibility; and obscure justifications for prolonging treatment. The Committee also pointed out that at present a multiple offender may be dealt with by as many as thirty or forty different State and local agencies during his lifetime.

Co-chaired by Paul D. McGinnis, State Commissioner of Correction, and Russell G. Oswald, Chairman of the State Board of Parole, the Governor's Special Committee has been working for more than two years to find better ways of keeping offenders from returning to crime. Its preliminary report, consisting of 328 printed pages, covers all aspects of the offender treatment system from point of conviction to ultimate discharge from supervision.

The report is now being studied by a 43-member Citizen's Advisory Committee appointed by the Governor. After receiving the reactions of its Citizen's Advisory Committee, the Governor's Committee will hold public hearings. Specific recommendations for implementation will await the completion of a final report by the Governor's Committee.

CRIME PREVENTION

from the WALL STREET AMBASSADOR, North Dakota . . .

Know where your children are at all times! This common sense rule is broken all too often. Its violation is the cause for many a heartbreaking situation. Infants and young children at home should be within eye-shot of the parent. Take your children along to school. Arrange to meet them when school is out. DO NOT ALLOW your young children to roam the streets by themselves. Teach your children not to go to strangers, and to report suspicious persons to you, teachers or policemen. Teach your children that a policeman is their greatest friend outside the home. Instruct your children against loitering in public places. Do not allow them out after dark by themselves. Also, a high percentage of child molestations are caused by friends and blood relatives. As distasteful as this may sound, it is a hard fact of life. Be sure you know the character of people who might keep your children overnight, for a visit or on a trip. When you need a baby-sitter, take great care in the selection. Remember, that sitter is now in YOUR place as a guardian of your precious children. Insist that the sitter take the same precautions as you do. Take her on a security tour of the house; instruct her on not admitting strangers; give her the phone number where you can be reached. Explain how to reach the police. In short, educate your baby-sitter so that she will be able to handle a potential problem in the same way as you would. Concerning your teenage children, you should know when your daughter or son is dating. Don't let them go out with people who are complete strangers to you. Insist on getting to know those they date. Today's teenage girls have their own special problems. Following is a **no-nonsense code** of ten good rules we have formulated to help young girls steer clear of danger.

1. If any stranger — or even a slight acquaintance — makes improper advances, tell your parents immediately. Too often young people dislike the idea of getting someone into trouble. Just remember that if you don't report him, he probably will get into worse trouble later on — to say nothing of the harm he may cause.

2. If you know of any pornographic literature being passed around, notify your parents immediately. Collecting obscene material is a favorite habit of degenerates. If the authorities can run down the source, they may be able to rid the community of danger before it starts.

3. Know your date! Don't go out on blind dates.

4. Stay out of lovers' lane. They're favorite haunts of sex criminals. And after all, these are not places where understanding, moral teenagers — who know the deep responsibility of dating, sex and marriage — ought to be anyway.

5. Don't wander away alone from the crowd at picnics and outings.

6. Don't ask for trouble — DRESS SENSIBLY!

7. Be civil to strangers who ask directions, but never go part way with them.

8. Be careful about accepting work from a stranger. This is another insidious dodge. Always make sure that the person offering employment is a respectable businessman.

9. Don't go around the house half-dressed. It's an invitation to "peeping toms" or worse.

10. Never hitchhike! And never pick up a hitchhiker.

Parents should get to know their children. Do more things at home with them. The more they are in the sanctity and protection of the home, the less the chance for some disaster to strike. Follow these common sense rules! If you do, your chances and your loved ones' chances of being a crime victim will be greatly reduced.

Crime Prevention Committee
Wall Street Journal

EXCUSE OUR ERROR . . . BUT

The following chapters were accidentally left off the last list of institutional chapters in last month's issue of CON-TACT. Sorry! Sorry! Sorry!

Atascadero State Hospital Jaycees
Drawer A
Atascadero, California 93422

The Viking Jaycees
Federal Correction Institution
Sandstone, Minnesota 55072

Jefftown Jaycees
Box 900
Jefferson City, Missouri 65102

Unique Jaycees
% Moberly Prison
Moberly, Missouri 65270

La Barge Jaycees
Box 7
Deer Lodge, Montana 59722

Spanish Fork Jaycees
Box 7
Deer Lodge, Montana 59722

One Eleven Jaycees
Box 111
Lincoln, Nebraska 68501

N. S. P. Jaycees
Box 607
Carson City, Nevada 89071

New Hampshire Hospital Jaycees
105 Pleasant Street
Concord, New Hampshire 03301

Roadrunner Jaycees
P. O. Box 1059
Santa Fe, New Mexico 87501

Honor Grade Jaycees
835 West Morgan
Raleigh, North Carolina 27600

Sandy Ridge Jaycees
Route 1, Box 124
High Point, North Carolina 27260

Wall Street Jaycees
Box 1497
Bismark, North Dakota 58501

Bailey-Fields Jaycees
Ohio Reformatory
Mansfield, Ohio 44901

C.C.I. Jaycees
P. O. Bxo 5500
Chillicothe, Ohio 45601

O.S.H.F. Jaycees
Address Unknown
Mansfield, Ohio

DO YOUR HOMEWORK

The American Correctional Association provides current, meaningful information which can increase your understanding of all phases of corrections. Through their magazine, The American Journal of Corrections, they will keep you tuned into new concepts, programs and professional thinking.

For a few lousy bucks you can sound like the expert you think you are.

The American Correctional Association
Woodridge Station P. O. Box 10176
Washington, D. C. 20018

SUSTAINING MEMBERSHIP – $25.00
Recommended for State Chairman. Includes voting privilege, one copy of the Proceedings of the Annual Congress of Correction, one annual subscription to The American Journal of Correction, one copy of the directory of correctional institutions, for each individual membership.

ACTIVE MEMBERSHIP – $15.00
Suggested for local chairman. Includes voting privilege, one annual subscription to The American Journal of Correction, and one copy of the directory of correctional institutions.

PARTICIPATING MEMBERSHIP – $4.00
Suggested for all interested people. Includes voting privilege and one annual subscription to The American Journal of Correction.

CONtact

CONtact is the official publication of The United States Jaycees Coordinator For Correctional Programming. It is intended to provide communications between and for The United States Jaycee Institutional Chapters as well as to disseminate information from professional correctional authorities, inmates, and knowledgeable laymen to members of The United States Jaycees and other interested "Free" people.

CONtact will be mailed on the 15th of each month. The deadline for receiving information and articles is the 1st of each month.

Any individual desiring additional information on any material found in the monthly issue of CONtact or wishing material on any specific area of corrections, is encouraged to write the Coordinator.

If you desire additional information, have an article, comment or question, please write:

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Admin Feature

THE MINNEAPOLIS STAR Mon., Oct. 6, 1969

Prison training project in doubt

By EDWARD SCHAEFER
Minneapolis Star Staff Writer

A manpower - training project is hanging by a slender thread for lack of federal financing at Minnesota State Prison.

The project, just a year old, would have been shut down early this month except that teacher-salary economies were worked out to ensure continuation of the inmate training until Dec. 2.

A request has been made for $350,000 to finance an expanded program, including a truck body building and repair section. There has been no action on the request.

The project was one of the items in the list of 19 "grievances" presented by prison inmates after a disturbance Sept. 4. Some of the inmates said vocational instruction had not been "beefed up enough."

A current Department of Corrections publication, in an article on the disturbance, lists "request for better academic and vocational education program" as third among the most significant grievances.

Few openings

Some inmates have circulated mimeographed sheets showing few openings in vocational training for the more than 900 inmates of the prison. One sheet, for instance, showed two openings for welding instruction and seven vacancies in offset- and duplicating - printing instruction.

The mimeographed sheets date from last October, when the project was just beginning.

Currently, 33 inmates are receiving or have completed training in welding, said Al Maresh, manpower development and training project director and a vocational - education expert from the Minnesota Department of Education.

Twenty-five inmates are receiving machine-shop instruction.

Twenty-three are taking drafting, 21 are in electronics classes and 26 are in the printing division, training principally as duplicating-machine operators.

The courses are set up with the intention of having 25 persons in each class except for 20 in drafting. The class terms and enrollment are flexible, however, with some students absorbing the training more readily than others and some needing more basic instruction, such as in reading.

At last count, 63 had completed the instruction. All but about a dozen of those men had been paroled, with the dozen awaiting release.

Counseling

In addition to the basic education and the vocational training, the "graduating" inmates get special employment-service counseling, according to Joseph Wennes of the Minnesota Employment Security Department's human resources development section, with offices in St. Paul.

Wennes said 40 percent of the released prisoners are working in jobs related to their vocational training. Two are taking further training, including one who is paying his own way through a private electronics school.

The prison says the parole-violation rate among vocational-training graduates is considerably lower than the rate among other released inmates.

Only two inmates getting vocational training were involved in the Sept. 4 disturbance.

Some of the inmates criticized the program because the training is open only to inmates who have a reasonable expectation of being released in the following six months or at most 12 months.

The project directors said there would be little value in putting an inmate with many years still to serve through a course. He likely would not retain enough of the instruction to qualify for placement after his release.

Maresh said that so far as he knows no one who has indicated an interest in one of the courses has been rejected. There was limited acceptance of the project by the inmates a year ago, Maresh said, but skepticism has faded during the year.

Now some custodial officers are "recruiting" for the program, Maresh said, largely because the vocational trainees give less trouble to the custodial officers.

Inmates accepted for a course get up to $10 a week allowance, with $4 in pay and $6 in a retained fund.

All instruction is by "outside" professional teachers. Maresh said the project cost comes to 90 cents to $1.20 per student per hour of training.

The first year of operations was financed by a $312,000 federal grant, including allowance for inmate equipment. The program was tagged as a model for prisons interested in such programs.

THE KANSAS CITY TIMES
Monday, October 13, 1969

PRISONERS BECOME FACTORY WORKERS

First British Effort at Inmate Industries Is Called Initial Success

TO INVOLVE 300 MEN

Eventually There Will Be a 40-Hour Week While Serving Sentence

By Clive Borrell
(Dispatch of the Times, London)

Coldingley, Surrey—James Callaghan, home secretary, has forecast the introduction of shop stewards in prisons.

Opening Britain's first industrialized prison here, where eventually 300 men will work a 40-hour week while serving their sentences, he said:

"This is an experimental prison and after seeing the workshops I am convinced that in many ways the conditions are better than in some normal factories. If we make this one a success, and also make money, it will give us great encouragement for other prisons to be built—and God knows we need them."

Impressed With Success

Callaghan, who spent more than two hours touring the prison, was impressed with the realism and obvious initial success of the venture. Three workshops have been equipped for industrial use: A laundry, an engineering and machine shop, and a road signmaking department.

The laundry, when in full production, will take 200,000 items from local hospitals, wash and press them, and should net a weekly income of more than $7,-200.

The engineer and machine shop will make steel shelves and cabinets for government offices. The sign-making department will supply the ministry of transport and local councils with road signs.

But Coldingley is more than just a factory employing cheap labor—top wages are only $3.96 a week, although in outside industry the men could expect to earn about $4,000 a year for the same work. It is a brave esperiment.

As Callaghan said after his tour yesterday, "We want to encourage the impression—and, indeed, some of the inmates have indicated to me—that they have a job worth doing, and are not just rotting away."

Plans for Other Sites

At least 12 prisons—nine sites already chosen—are to be built in the next five years, based on similar lines.

"The Building Trade union, the Transport and General Workers and the Engineering and Foundry Workers unions have signed an agreement accepting former detainees at Coldingley when they leave prison as card-carrying members.

The factory atmosphere has begun to take effect at the prison, where more than 100 men are detained. Regular tea breaks and smoking periods have been instituted and men can be hired and fired.

Those who fail to abide by the put on more menial tasks and those who show willingness and spirit of the experiment will be aptitude will take their places. Those who are demoted will lose money and those who are upgraded will earn more.

RELIEF AIM
(Continued)

to the already swollen welfare rolls, Mr. Ullman said: "It seems to me way it's never been opened up."

Under the President's pan, families of four would be assured a mnimum ncome of $1,-600 a year, but employable adults would be required to accept jobs or undergo job training.

The plan further calls for extensive day-care centers for chdren of working parents and expanded job training programs.

Such a program, Mr. Ullman complained, could lead to untold drains on the Treasury. "It is so completely open-ended it can ony lead to disaster," he said.

Secretary Finch, promosing to return next week for further questioning, said that Mr. Ullman's "laundry list is valid and lengthy."

"You've given me homework for my return," he said.

U.S. Department of Labor
Manpower Administration

THE MANPOWER DAILY REPORTER

Room 100, Vanguard Bldg.
1111 - 20th St., N.W.
Washington, D. C. 20210
Telephone: 961-5034
(Code 110-5034)

Thursday, October 16, 1969

WALL STREET JOURNAL
OCT 16 1969

Personal Income Showed Slim Gain For September

Agency Posts Slightest Rise In 17 Months, Sharp Drop From August's Advance

Lag Cited as Slowdown Sign

By a WALL STREET JOURNAL *Staff Reporter*

WASHINGTON — The advance in personal income slowed sharply last month, producing the slimmest gain in 17 months, the Commerce Department reported.

Last month's $2.3 billion annual rate of increase, the smallest since the $2.1 billion gain of April 1968, brought personal income to a record seasonally adjusted $759.8 billion annual pace. The September gain was far less than the $5.3 billion August advance and less than half the $4.9 billion average rate of increase in the first nine months this year. In September 1968 personal income rose at a $5.1 billion pace.

Although Administration analysts cited the slowdown as another sign of economic cooling, they noted the close relationship between personal income and unemployment—which jumped to 4% of the nation's labor force in September from 3.5% in August. "This (September personal income) confirms other indications of a slowdown, but since the unemployment rate could decline some this month, the rise in personal income may go up again," said one analyst. Other analysts questioned whether the decline in the rate of personal income growth was as great as reported; Government analysts had voiced this same skepticism about the size of the reported gain in September unemployment.

The smaller advance in personal income last month was centered in wage and salary disbursements, which was expected in view of the decline in September employment. A $1.2 billion overall increase in wage and salary payouts contrasted to a $5.1 billion gain in August.

In manufacturing, personal income rose only $100 million in September, compared to a $2.1 billion advance a month earlier. The report said that "a longer workweek and higher hourly pay rates were offset by decreased employment, virtually all in transportation equipment."

But some analysts questioned the validity of the seasonal adjustment for the automotive industry during the model change-over periods of August and September and thus reasoned that last month's decline in the transportation-equipment area perhaps wasn't as large as reported.

Private nonmanufacturing payrolls "recorded very small changes" in September, the report said, except in the service industries where they advanced $700 million following an $800 million gain in August. The department said construction payrolls were unchanged for the second consecutive month and disbursements in wholesale and retail industries also were unchanged following a "substantial" $1 billion August increase.

Government wages and salaries climbed $400 million in September, compared to a $900 million advance a month earlier. State and local governments accounted for the September increase, the report said, as Federal government disbursements were unchanged, following July and August pay raises.

Dividend income climbed $300 million in September to a $25.1 billion annual rate, and personal income from interest advanced $400 million to a $60.2 billion annual pace. Income from business proprietorships, farm income and rents all were unchanged from a month earlier.

Through the first nine months of 1969, the report said, personal income averaged 9% ahead of the year-earlier period.

NEW YORK TIMES
OCT 16 1969

DEMOCRATS SCORE NIXON RELIEF AIM

Say He Raids Treasury for Poor and Slights Elderly

By MARJORIE HUNTER
Special to The New York Times

WASHINGTON, Oct. 15—Democrats accused the Nixon Administration today of seeking to raid the Treasury for the poor while shortchanging the nation's elderly.

The sharp accusations were leveled as Secretary Robert H. Finch of the Department of Health, Education and Welfare opened the Administration's drive in Congress for large welfare reforms and a 10 per cent increase in Social Security benefits.

Within moments after taking the witness seat in the House Ways and Means Committee's lofty hearing room, Mr. Finch encountered a volley af Democratic criticism.

Protesting that the Nixon welfare reforms "are nothing more than a hodgepodge," Representative Al Ullman, Democrat of Oregon, said:

"I am shocked, frankly, almost to the point of being speechless, by the recommendations you have made . . . This is pure political pie in the sky."

The President has proposed a $4.4-billion program setting a minimum annual Federal payment of $1,00 for needy families, including the "working poor" as well as those with no income.

Mr. Finch and his aides were also accused of seeking to delay Social Security increases to coincide with the 1970 election year.

"Why does this Administration expect old people to go through the cold months of winter and wait until next spring to get their Social Security increase?" Representative James A. Burke, Democrat of Massachusetts, asked angrily.

Testimony Challenged

Told by Social Security Commissioner Robert M. Ball that it would take at least four months of complex computer programing before benefit increases could be made to the nation's 25 million elderly persons, Mr. Burke retorted:

"I doubt that very much. If it takes over 30 days, we'd better get some new people down there [in the Social Security Administration office.]"

Obviously angry, the usually mild-mannered Mr. Ball said: "Mr. Burke, I resent the implicaton tha I have told you something I don't believe."

"Oh, I know what restrictions there are on you and others in this Administration," Mr. Burke replied.

Mr. Finch said quietly: "I resent the implication there are any restrictions on Mr. Ball."

The Nixon Administration has proposed an across-the-board Social Security benefit increase of 10 per cent, effective with checks mailed out next April 1.

House Democrats, at a caucus last week, called for a 15 per cent benefit increase, effective Dec. 1 of this year.

While Wilbur D. Mills, chairman of the Ways and Means Committee, has not publicly committed himself to either figure, there were indications today that he might be leaning toward something higher than 10 per cent.

While the Administration has tied together the welfare reforms and Social Security increases, it is likely that Congress will enact separate Social Security bill before acting on welfare.

Reforms Face Fight

Some indication of the rough going in store for the welfare reforms was given bv Mr. Ullman, the third-ranking Democrat on the committee.

He said that he would not have been shocked if the Administration has proposed a negative income tax, a plan under which families with allowable tax deductions and exemptions in excess of their taxable income would receive cash payments from the Government.

Noting that r. Nixon's plan would add 10 million persons

Continued on Page 2

Admin - Justice

Week of October 13, 1969

TENNESSEE TRAINING PROJECT MOVES UNSKILLES INTO SKILLED JOBS

WASHINGTON -- Unskilled, jobless disadvantaged persons can become skilled industrial workers in less than a year.

This is being proven in a demonstration project in Tennessee financed jointly by the U. S. Department of Labor and the Atomic Energy Commission over the last three years.

At the Oak Ridge atomic installation, nearly 1,000 unskilled persons -- jobless, underemployed, and otherwise disadvantaged -- from the surrounding community have been trained and placed in highly skilled jobs.

Training was conducted within the gates of the AEC's Y-12 plant, an industrial complex devoted to the most advanced chemical and metallurgical technology.

The trainees included a high percentage of Negroes.

Data collected on the first 700 shows that they averaged three offers of employment each, and some received as many as seven job offers.

More than 99 percent of the graduates were placed in jobs.

Their annual earnings increased by an average of almost $4,000, from poverty levels to more than $6,000 a year.

It has been estimated that the increase in Federal income taxes paid by the graduates will return their training and subsistence allowance costs to the Government in five years.

(More)

All those selected for training were persons who lacked any specialized skill which would qualify them for jobs in skilled or technical areas.

Recruitment was a function of the Tennessee Department of Employment Security. The public employment service, along with the Tennessee Division of Vocational-Technical Education, also helped with coordination and review of the program.

The program has demonstrated that:

. . . there are methods of upgrading underutilized persons in less than one year to enter skilled industrial jobs;

. . . skilled and technical workers are in critical demand by industry;

. . . there exists a new capacity for advanced skill and technical training within industry; and

. . . there are industrial, educational, and other training resources that can be more fully utilized for manpower development.

The Labor Department's participation in the project is through the Manpower Administration.

# # #

NEWS

U. S. DEPARTMENT OF LABOR
OFFICE OF INFORMATION, WASHINGTON, D. C. 20210

NEWS DIGEST

WEEK OF OCTOBER 13, 1969

IN THIS ISSUE:

WILKS CALLS FOR BETTER FEDERAL-STATE STRATEGY IN ACHIEVING JOB EQUALITY

THE EMPLOYMENT SITUATION: SEPTEMBER 1969

Current Issues - 1970

SHULTZ CITES NEED FOR STRENGTHENING NATION'S UNEMPLOYMENT INSURANCE PROGRAM

Admin of Justice

TENNESSEE TRAINING PROJECT MOVES UNSKILLED INTO SKILLED JOBS

DEPARTMENT OF LABOR PRISON PROJECTS OFFER TRAINING FOR 4,144 INMATES

FILLERS FROM THE LABOR DEPARTMENT

Care Study of
1-3 empl. Serv offices
Clientele response —
physical setting — Volume
of business —

admin. of justice

U.S. Dept. Labor - News

Week of October 13, 1969

DEPARTMENT OF LABOR PRISON PROJECTS
OFFER TRAINING FOR 4,144 INMATES

WASHINGTON -- Helping inmates of Federal, State, and county correctional institutions to become responsible citizens is the goal of a U.S. Department of Labor experiment.

The demonstration, called the Section 251 Prison Training Program, is an attempt to supply inmates with needed job skills so they would be employable when released. It is now operating in 40 institutions in 24 States.

Already 4,144 men and women inmates are in training or scheduled for training for a wide variety of job skills, the Labor Department has reported.

Agreements have been made with some State departments of probation and parole to release trainees upon completion of their courses so they can be placed in jobs in industry.

The 40 projects now under way are being supported with $5.242 million in Manpower Development and Training Act funds.

Thirty-six of the participating correctional institutions are State operated; three are county operated (Shelby County, Memphis, Tenn,; Tarrant County, Dallas, Texas; and Cook County, Chicago, Illinois); and one, at Sandstone, Minn., is a Federal institution.

Preparatory training, including basic education, eighth grade level education, high school equivalency, and prerelease job preparation, is provided when needed.

Entry training is available in a wide variety of vocations, including such modern type jobs as computer programer, electronics mechanic, and keypunch operator.

Women may learn to be a cosmetologist, seamstress, or nurse's aide, or

(MORE)

to do clerical office work.

Men are being taught the skills of shop and mechanical jobs, such as a auto mechanic, diesel mechanic, auto body repairmen, carpenter, electrician, bricklayer, operating engineer, sheetmetal installer, welder, machine set-up, machine operator, foundry worker, and inspector.

Others are being trained as cooks or bakers, or in building maintenance; as repairmen for electric motors, sewing machines, television sets, farm equipment, and all types of appliances; and as draftsmen, painters, upholsterers, pressmen, lithographers, and loggers.

In most of the institutions such job training and other rehabilitation services did not previously exist.

President Nixon, Chief Justice Burger and others have recently expressed their concern over the rise of crime, the high rate of recidivism, and the state of correctional institutions in general.

One-third of the 100,000 inmates released each year from State and Federal prisons return to crime and a new cycle of imprisonment.

Section 251 projects aim to find ways to meet these problems through new methods of counseling and vocational training for inmates. Cross-programming with other agencies is encouraged. Some projects arrange for the State Vocational Rehabilitation Agency to supply medical, psychological, and counseling services for trainees.

In Section 251 of the Manpower Development and Training Act, for which the program is named, the Congress directed the Secretary of Labor to "develop and carry out experimental and demonstration programs of training and education for persons in correctional institutions who are in need thereof to obtain employment upon release."

(MORE)

Section 251 provided that "programs under this part may include vocational education; special job development and placement activities; prevocational, basic, and secondary education, and counseling, where appropriate; supportive and followup services and such other assistance as is deemed necessary."

The Section 251 projects, under the Manpower Administration, are administered by State employment security and vocational education agencies, although they may subcontract with another public or private agency for special services.

Institutions with Project 251 demonstrations are:

Alabama: Draper Correctional Center, Elmore; Warden, John C. Watkins

Arizona: Arizona State Prison, Florence; Warden, Frank E. Eyman

California: Sierra Correctional Institution, Jamestown; Warden, Howard M. Comstock

Florida: Apalachee Correctional Institute, Chattahoochee; (Supt.) Gearrie Curlee

Georgia: The Georgia State Prisons; Warden, Lamont Smith

Idaho: Idaho State Penitentiary, Boise; (Director) Raymond W. May

Illinois: Vienna State Penitentiary, Vienna; Warden, Vernon Housewright -
Cook County Jail, Chicago; Superintendent, Winston E. Moore

Indiana: Indiana Reformatory, Pendleton; (Supt.) George Phend

Kansas: Kansas Industrial Reformatory, Hutchinson; (Supt.) Joseph B. Noble

Kentucky: Kentucky Village, Lexington; (Supt.) Robert L. Good

Maine: Maine State Prison, Thomaston; Warden, Allan L. Robbins

Michigan: Michigan State Prison, Stillwater; State Prison of Southern,
Michigan; Warden, George A. Krotp

Jackson: State House of Correction, Marquette; Warden, Raymond J. Buchkoe

Minnesota: Minnesota State Prison, Stillwater; Warden, Jack G. Young
Federal Prison, Sandstone, (Federal Correctional Institute) John J. Norton

Missouri: Training Center for Men, Moberly; Warden, Edward E. Haynes

Nevada: Nevada State Prison, Carson City; Warden, Carl G. Hocker

(MORE)

New Hampshire: New Hampshire State Prison, Concord; Warden, Parker L. Hancock

Oregon: Oregon State Penitentiary for Women, Salem; Warden, Hoyt C. Cupp

Pennsylvania: State Correctional Institute, Dallas; Warden, Frank C. Johnston

South Carolina: South Carolina Central Correctional Institution Columbia; (Act'g Warden) J. W. Strickland

Tennessee: Shelby County Penal Farm, Memphis; (Supt.) Mark Luttrell

Texas: Huntsville Correctional Institution; Warden, Sidney Lanier
Tarrant County Jail, Forth Worth; Warden, Rook Ramsey

Utah: Utah State Prison, Draper; Warden, John W. Turner

Washington: Washington State Reformatory, Monroe; (Supt.) Roger F. Maxwell

Wyoming: State Penitentiary, Rawlins, Warden, Lenard F. Meacham

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E WALL STREET JOURNAL, THURSDAY, OCTOBER 30, 1969

Bail Reform: Two Law-and-Order Views

* * *

By JOHN N. MITCHELL

This Administration is firmly committed to a vigorous and comprehensive action program to combat crime in America, particularly street crime.

As you know, the present law—the Bail Reform Act of 1966—was passed as part of a nationwide movement to eliminate the financial inequities in the money bail system. It was premised on the supposition that the financial condition of a criminal suspect should not be a consideration in the application of criminal justice. I fully support this policy. I believe that the indigent defendant and the rich defendant must be given equal treatment if our system of justice under law is to have any relevance in today's society.

The Bail Reform Act of 1966 modified the historic money bail system by permitting release on personal recognizance of any suspect whose character and community ties would reasonably assure that he would remain subject to the jurisdiction of the court and would not flee. We now have had three years of experience with the Bail Reform Act and we have come to the conclusion that there is sufficient evidence to warrant substantial modification.

The amendments we propose will apply to all Federal jurisdictions, but their primary impact will be in Washington. No other Federal judicial district faces the high volume of street crime that we face here in Washington and, although there are bail reform experiments in more than 125 cities, in no other city is the risk of flight used in practice as the *sole* criterion for release of suspected robbers, muggers, rapists, narcotics addicts and other street criminals. There is no doubt at all that a significant number of serious crimes are being committed by those released on bail although the exact number of these offenders is subject to wide divergence of opinion, depending on the studies undertaken.

In view of (the) enormous increase in reported crime, the limitation of pre-trial detention to capital offenses makes no sense at all. The addict-robber, the professional burglar, the confirmed rapist are all far more dangerous to the community than the husband charged with first degree murder of his wife. Though precise statistics on crime committed on bail are not available because of the very low arrest rate for violent crimes (under 10% of all crime) many law enforcement experts —judges, prosecutors and police investigators —believe that crime on bail is a major factor in all street crimes.

In light of all available evidence, I believe that the pre-trial release of potentially dangerous defendants constitutes one of the most serious factors in the present crime wave. I believe that danger to the community must be made a significant consideration in the ultimate decision to release a suspect. I believe that we need a more flexible approach which will offer a range of possibilities—pre-trial release without close supervision; pre-trial release with close supervision, and other conditions such as employment; and no pre-trial release at all for those suspects who clearly present a potential for committing another serious crime.

Under the proposal no one will be held in pre-trial detention unless (1) he comes within one of a group of carefully chosen categories of defendants who may pose a danger to society, (2) the judge finds that he cannot be released on any condition that would assure another charge of a crime of violence when arrested or have been convicted of such an offense within the last 10 years.

Narcotic addicts charged with a crime of violence comprise the third category. Probably no act is more predictable than the commission of a crime by an addict driven by his habit.

The final category covers those persons who, irrespective of the offense charged, obstruct justice by threatening witnesses or jurors.

Only when the defendant fits into one of these categories may a motion for a pre-trial detention hearing be made by the U.S. Attorney. At this hearing the judicial officer has to find, on the basis of information available on the defendant and the facts of the offense charged, that there are no conditions for release which will reasonably assure the safety of the community.

Some have said that this finding makes the judge into a prognosticator of future behavior and that this is unprecedented and unreliable. The short answer to this is that our system has always called on the trial judge to make numerous predictions of future behavior from the first appearance after arrest until final sentencing. No one, for instance, has objected to the judge's predicting, under the Bail Reform Act, the likelihood of flight. When a capital offense is charged, the very same judge is directed by the Bail Reform Act to take danger to the community into consideration and thus predict whether the defendant will present a danger to the community if released.

Moreover, every time a judge imposes or suspends a sentence or grants or denies probation he makes a prediction of future behavior and the possibility of rehabilitation. If a judge can predict with some reliability without Constitutional prohibition in these areas he can also predict the dangerousness of a defendant before him.

The proposal also contains a number of strong procedural protections to safeguard the rights of the defendant. He will be entitled to an expedited trial and will not be held in pre-trial detention for more than 60 days unless the trial has started or he is delaying his trial.

The proposal I have outlined would thus

* * *

The ringing adage that a man is innocent until proven guilty underlies the practice of letting a person accused of a non-capital crime go free until his trial. But legal adages seem to have diminished appeal to crime-ridden society living in fear; high principles of the law become "technicalities" that let criminals run loose to strike again.

The difficulty of reconciling ancient concepts and modern dangers is typified by the Nixon Administration's proposal for pre-trial jailing of defendants deemed dangerous to society. The arguments pro and con don't necessarily pit get-tough types against bleeding hearts. Two law-and-order conservatives expressed conflicting views in recent testimony before the House Judiciary Committee, with Attorney General John Mitchell supporting the "preventive detention" proposal and Democrat Sen. Sam Ervin of North Carolina opposing it. Excerpts show the quandary confronting men wanting to do the right thing.

* * *

By SAM D. ERVIN JR.

Initially, I want to make it clear that I am deeply concerned about the crime problem in this country and about the safety of our law-abiding citizens. The increasing rate of criminal activity in our land is appalling. I am especially disturbed by the crime problems besetting us each day here in the District of Columbia. The existence of these problems, however, should not prompt Congress towards enacting unconstitutional and unwise and deceptively appealing legislation. Rather, it should provide us with the opportunity to make those difficult legislative decisions which are essential if our court and corrective systems are to cope with the demands of modern society.

I believe our search for a solution to the problem of crime on bail should begin with an acknowledgement of three facts. First, crime on bail, though the exact extent is uncertain, represents but a small part of the overall crime problem. Second, the problem, irrespective of its precise magnitude, could be substantially eradicated if trials were conducted between 30 and 60 days following arrest and release. Third, the Bail Reform Act of 1966 has been inaccurately and unfairly cited as the villain responsible for crime on bail.

The Eighth Amendment prohibits excessive bail. Clearly, if bail is set at a higher level than necessary to insure appearance, it is excessive and is serving a function not consonant with its historical purpose. The result of excessive bail is pre-trial detention violative of the Eighth Amendment. In my judgment, the Eighth Amendment implicitly guarantees a right to bail in all non-capital cases. I am personally satisfied that preventive detention prostitutes the purpose of bail and runs afoul of the Eighth Amendment.

Fundamental to due process of law is the tenet that a man is presumed innocent until proven guilty beyond a reasonable doubt. Under our system of justice the Government cannot deprive a man of his liberty on the basis of a mere accusation or assumption that he has committed a crime or is likely to do so. In practical effect, preventive detention legislation convicts individuals of "probable" guilt and "dangerousness" and sentences them to 60 days' imprisonment without trial and conviction of a crime. Such flagrant violation of due process smacks of a police state rather than a democracy under law. It is reminiscent of similar devices in other countries which have proved all too useful as tools of political repression.

Preventive detention rests on an untested theory of predictability. A judicial officer must be able to pick out with precision the suspect who will commit new crimes while on bail. Yet there are no standards for determining dangerousness and no statistical guidelines on which to base the prediction which must be made under the proposed law. We should remember that only a small percentage and number of suspects actually commit crimes while on bail. When that fact is ou

believe that danger to the community must be made a significant consideration in the ultimate decision to release a suspect. I believe that we need a more flexible approach which will offer a range of possibilities—pre-trial release without close supervision; pre-trial release with close supervision, and other conditions such as employment; and no pre-trial release at all for those suspects who clearly present a potential for committing another serious crime.

Under the proposal no one will be held in pre-trial detention unless (1) he comes within one of a group of carefully chosen categories of defendants who may pose a danger to society, (2) the judge finds that he cannot be released on any condition that would assure community safety, and (3) there is a substantial probability of his ultimate conviction.

There are four categories of detainable defendants in the bill. The first category covers certain dangerous crimes—robbery, burglary, rape, arson and drug sales. These are crimes of grave dangerousness, or, like drug sales, they are crimes that serve as breeding grounds for other and more violent crimes.

The second category covers the entire range of crimes of violence. The mere charge of a violent crime is, however, insufficient. In addition, the defendant must be out on bail on sent a danger to the community if released.

Moreover, every time a judge imposes or suspends a sentence or grants or denies probation he makes a prediction of future behavior and the possibility of rehabilitation. If a judge can predict with some reliability without Constitutional prohibition in these areas he can also predict the dangerousness of a defendant before him.

The proposal also contains a number of strong procedural protections to safeguard the rights of the defendant. He will be entitled to an expedited trial and will not be held in pre-trial detention for more than 60 days unless the trial has started or he is delaying his trial.

The proposal I have outlined would thus amend the Bail Reform Act to establish selected pre-trial detention on a limited basis with strong safeguards against abuse. The bill will hold for pre-trial detention only those persons who appear to be so dangerous that their release pending trial would probably result in the commission of other crimes. It will provide our courts with a number of indispensable weapons and procedures to combat the scourge of crime in our streets. Crime on bail does exist and those who are faced with it on a day to day basis know that it is a major factor in the rising crime rate.

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Preventive detention rests on an untested theory of predictability. A judicial officer must be able to pick out with precision the suspect who will commit new crimes while on bail. Yet there are no standards for determining dangerousness and no statistical guidelines on which to base the prediction which must be made under the proposed law. We should remember that only a small percentage and number of suspects actually commit crimes while on bail. When that fact is coupled with the fact that judges have nothing to guide them other than some enigmatic power of prophecy, the law will most assuredly result in the imprisonment without trial of many persons who are not dangerous and who are innocent of the charges. If the preventive detention law is judged by its susceptibility to abuse, plainly it is an evil law.

The proposed solution would impose heavy additional administrative burdens on the already heavily backlogged courts. (It) would, in many instances, take as much time as would actual trial of the principal case. Court congestion would get worse. Delays in criminal trials, now running 10 to 12 months, would increase. The suspect will be in the streets 8 to 10 months awaiting trial after his 60-day detention period is over. Thus we have the curious situation where our failure to give defendants and the public their Constitutional right to speedy trial has spawned legislation which will further burden the judges, and make speedy trials even less likely than at present. Yet the professed goal of protecting the public will still remain unrealized.

We should examine the impact upon the individual with the utmost care. It is obvious that 60 days' preventive detention will cost the detained individual his job. Loss of employment plus physical absence from his home will unquestionably have a detrimental effect upon his family. Probably the most serious blows to be dealt the individual will stem from his subjection to the physical and psychological deprivations and degradations of prison life. Criminal suspects in the District of Columbia will bear the brunt of the preventive detention law. The jails of this city are already a national disgrace. Yet the advocates of preventive detention would inject untold additional individuals, many of them innocent, into our problem-ridden, overcrowded prison system.

A period of 60 days or more of preventive detention in such a system is not likely to improve an individual's reputation. It will make securing employment difficult. It will, in all probability, exacerbate rather than reduce any existing criminal tendencies. And it will sharply detract from the defendant's ability to secure a fair trial, or a probationary or suspended sentence in the event of conviction.

In my judgment, the real answer to the immediate problem of crime committed by persons on bail, and, indeed, the solution to the general problem of crime, lies not in the preventive detention of individuals presumed innocent but in the speedy trial of the accused and the swift and sure punishment of the guilty. To attain that objective we must bring major improvements, long overdue, into our system of criminal justice. We must have more judges with adequate staffs and facilities, more prosecutors with sufficient supporting personnel, a more efficient system of defense for suspects financially unable to obtain counsel, and a more enlightened approach to penal reform.

Given the choice between a course of action fraught with Constitutional perils and one clearly Constitutional, let us choose the latter. Let us reject this facile and desperate detention device which repudiates our traditional concepts of liberty and pursue instead the goal of speedy trial of criminal suspects. That objective does not depend upon Constitutional affront but rather plainly preserves and enhances the rights of us all under the Constitution.

Admin of Justice

WORKING PRISONERS should be put under the unemployment insurance and Social Security systems, Labor Secretary Shultz proposes. He believes this would guarantee some financial support for freed prisoners during the "crucial first few months after release."

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Admin of Justice

WALL STREET JOURNAL, TUESDAY, NOVEMBER 11, 1969

Jobs Offer Ray of Hope on Crime

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By ROGER B. MAY

NEW YORK—Robert D. had little going for him when he appeared in Manhattan Criminal Court. An 18-year-old tenth grade dropout struggling to support his two motherless children through a dead-end job as a messenger, Robert was faced with the added burden of a police record for possessing stolen goods.

But Robert's chances have improved considerably since then. He has a better-paying job with an opportunity for advancement. And when his case is finally decided in court, chances are good the charges will be wiped from his record completely.

Such a switch in fortunes isn't at all uncommon in the Manhattan court these days. Each week, a dozen or so defendants in cases involving a variety of crimes are offered similar opportunities to get a break with the law. All they have to do, like Robert, is agree to participate in the Manhattan Court Employment Project.

A Joint Effort

The project is a three-year experiment which was launched with the aid of a Labor Department grant, in February 1968, by the Vera Institute of Justice, a private organization originally set up in 1961 to seek ways to improve the bail-bond system in the courts. Concerned over the fact that well over half of those who are arrested once will be arrested at least once again, Vera officials came up with a plan for putting offenders back on the right track by helping them get decent jobs.

"The idea isn't based on the Puritan ethic that work is the saving grace," says Henry M. Aronson, director of the project. "But if people have the chance to engage in honest work they enjoy doing, they'll probably opt for that opportunity, thereby creating a stake they wouldn't want to blow with another run-in with the law."

As an incentive for defendants in criminal cases to go into the project, its officials promise that they will recommend to the District Attorney's office that the pending charges be dropped or the sentence suspended provided the defendant shows promise in his new job over a period of at least three months. Both the District Attorney's office and the Manhattan court have agreed to cooperate.

MCEP boasts that on the average, it places a new arrival in the project in a job by the ninth day after he's accepted. But that's only the start. Since most everyone in the project hasn't had much experience working for any length of time, "we go on the idea a guy is going to blow his first job," says Ennis Olgiati, associate director in charge of career development.

Actually the court defendants are placed with MCEP's help in an average of three jobs each before they find one where they feel confident enough to stick it out. In some instances, say MCEP officials, they've put people in as many as eight jobs.

MCEP job developers give those in the project another break by asking cooperating employers to stretch their usual rules a bit and, for example, put up with some tardiness from MCEP project members. Some concerns like one big New York finance company have gone so far as to pay the people it has taken on a weekly basis rather than twice a month like other employes. "They can accumulate money a littie faster," says its personnel director. In addition, he says, paying the MCEP employes once a week, "gives us a chance to chat with them every Friday and help them along with their problems."

Counseling of those in the project is handled by staff members of MCEP. "The idea of giving jobs without supportive services is ludicrous," says Mr. Olgiati. MCEP insists that project participants show up regularly for counseling sessions including weekly group sessions run by its counselors, or "reps" as they are known.

The MCEP project presently has eight reps, unique in the fact that they're all nonprofessionals and all are ex-offenders themselves, having served prison terms anywhere from three months to 17 years. "The traditional idea of the counselor just didn't wash in this project," explains Mr. Aronson.

MCEP staff members claim their non-professional reps are able to establish relationships quickly with defendants who share similar backgrounds and who would likely be suspicious of professional counselors. "What's more," says one MCEP staff member, "with these reps there's real communication rather than sociological jargon."

Participants in the project generally agree the counseling helps, particularly the group sessions. "You sit there and talk, and you find other people have the same problems," says a 20-year-old merchant seaman who got into the project several months ago after being arrested for disorderly conduct. "Just hearing that people have the same problems makes you feel better," he says.

MCEP officials say the combination of jobs and counseling has had encouraging results. In nearly 20 months of screening some 1,000 defendants passing through the Manhattan court each week, the project has accepted a total of 859, mostly young high-school dropouts. So far charges against 258 have been dropped because of their good record in the project. Another 157 are still participants. With a few exceptions, the remainder have been returned to normal court processes, usually because they simply didn't respond to the MCEP program.

Lately, as it has gained experience, MCEP has been improving on its record. "In the early days, we were seeking dismissals in only 25% of our cases," says Mr. Aronson. "Now we're recommending dismissals in 50%." What's more, their experience so far has convinced MCEP officials that they can tackle tougher cases.

At first, young college students employed to screen court defendants for project candidates were carefully instructed not to consider anyone accused of a crime more serious than a misdemeanor, which carries a maximum penalty of one year in jail. Since then restrictions have been eased considerably. "Forty per cent of the defendants now coming into the project are persons who have been arrested on a felony," says Mr. Aronson.

Not All Clear Sailing

MCEP officials admit it hasn't been all clear sailing, though. Of the 859 participants, 111 have been re-arrested, though often for minor offenses. This rate of recidivism is "pretty low," however, in the opinion of one expert, Dr. Daniel Glaser, associate commissioner of research for the State Narcotics Addiction Control Commission. He notes that most of the offenders taken into the program so far had originally been charged with misdemeanors, and says, "Petty offenders usually have the highest relapse rates."

More disturbing to the project officials has been the high percentage of drug users turning up despite intensive efforts to weed them out in the initial screening. "The cold, hard reality is that 23% of the people in the program are addicts," says Mr. Aronson. "We just can't respond to them."

Despite such problems, the project is winning growing support for its efforts. "There was honest skepticism from the bench when we started," says Mr. Aronson. "Now we're getting increasing calls from judges asking if we can take people we hadn't considered for the project." What's more, he says, on occasion arresting officers have brought in defendants themselves to see if they could be accepted.

The number of people in the program is small, of course, compared to the huge Manhattan court loads. "The program is just a tiny acorn, but in the long run it has very great promise," says Kenneth Conboy, chief of the criminal courts branch in the Manhattan District Attorney's office.

Criminal Court Judge Joseph Stone, who until last May was an assistant district attorney and liaison man with the court project, says. "Even if the project is successful in only 258 cases and these people don't come back again, it has accomplished a great deal."

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Wall St. Jnl
12-3-69

VOL. CLXXIV NO. 108 ★

Activist Attorneys

Poverty War Lawyers Stir Ire by Challenges Of State, Local Actions

Efforts in California Cause Sen. Murphy to Ask Curb; Renewal Project Halted

Tackling Civil Rights Cases

By JAMES E. BYLIN
Staff Reporter of THE WALL STREET JOURNAL

SAN FRANCISCO—When an impoverished family of Mexican-American migrant workers moved into central California last September, they hoped to find better work. Instead, they found a new problem: School administrators placed two of their eight children in classes for the mentally retarded.

Although upset by what they feel is an incorrect decision, the parents could hardly afford a legal protest; they're living on about $3,000 a year. But today lawyers are fighting their battle anyway. It isn't costing the family a cent, and if their case goes to court, it could bring into question class-assignment procedures in hundreds of other California districts.

The lawyers are part of California Rural Legal Assistance (CRLA), one of 270 such agencies now providing free—and controversial—legal aid under the war on poverty. The California case, while still in its early stages, typifies the dual role of such programs: They not only represent the poor in routine matters but sometimes also challenge public agencies or the existing law itself.

Challenging the System

Lawyers for the California family are armed with studies that show twice as many Mexican-American children as white children enrolled in this state's classes for the mentally retarded. They suspect that school tests that fail to take the language barrier into account may be the reason, and they're considering a class action suit that would attack the entire system of testing and assignment.

Through such tactics the Federally paid lawyers have overturned laws and challenged bureaucrats in many states. But in the process they have made some powerful enemies, including politicians who don't relish their brand of activism. And now, the Federal lawyers fear, their enemies may soon strike back.

This week in Washington the House is expected to begin debate on the "Murphy Amendment," already pushed through the Senate last October by a coalition of Republicans and Southern Democrats. California's senior Senator, Republican George Murphy, is the prime backer of the provision, despite opposition by the Nixon Administration's Office of Economic Opportunity.

The amendment would give governors the power to eliminate all or any part of any OEO legal service program in their states. Under present law, a governor has only the choice of

Activist Attorneys: Poverty War Lawyers Stir Wide Antagonism

Wall St. Jnl
12-3-69

Continued From First Page

staff from a Spartan suite of offices decorated with photographs of rural poor, Mexican prints, children's drawings and, in the back rooms, posters opposing the Vietnam war and backing the prolonged California grape strike.

CRLA was incorporated by a group of young lawyers as a private law firm in anticipation of an OEO grant (OEO provided an initial $1.3 million in 1966). Since then, its lawyers have handled some 35,000 cases—the majority of them for Mexican-Americans, who make up about two-thirds of California's rural poor.

Most of its cases have hardly been noticed. They have involved routine claims against merchants, employers, landlords or spouses. The controversy has been generated by CRLA's class actions—suits filed on behalf of all persons affected by a law or situation that CRLA argues is illegal. These cases have been few in number—only 63 of 15,000 cases handled in the fiscal year ended last June 30 were class actions—but they have by far the greatest impact.

A Canceled Operation

CRLA's first major dispute came in 1967, when it butted heads with Gov. Reagan. The governor had backed budget cuts in a California medical program that supplements Medicare. CRLA, representing a farm worker whose scheduled back operation had been canceled because of the budget cuts, filed a class action on the ground that the cuts had reduced services below the minimum prescribed by state law. A court upheld CRLA, the funds were restored and Gov. Reagan—elected in 1966 on an economy pledge—seethed.

Meanwhile, CRLA was becoming embroiled with Sen. Murphy and California farmers. In 1967, it filed suit against the U.S. Labor Department's enforcing of its own policy covering the importation of low-paid braceros (temporary Mexican workers) into the state; the end result of negotiations after the filing of the suit was a departmental policy eliminating bracero traffic completely. The cutoff angered the growers as well as Sen. Murphy, who supported the use of braceros in his successful 1964 campaign.

Growers were hit more directly in the pocketbook by another successful CRLA suit. When a California state agency boosted the minimum farm wage for women to $1.65 an hour from $1.30, growers won a court injunction against the increase. CRLA won a suit forcing growers to start paying at the higher rate and also to pay some $800,000 in back wages to about 20,000 women workers.

When CRLA discovered last year that 16 of the state's 58 counties weren't participating in the Federal food stamp program for the poor, it obtained a Federal court order requiring the Department of Agriculture to extend the program to those counties. The OEO lawyers also are arguing that the state law requiring two-thirds approval for local bond issues violates the "one-man, one-vote" doctrine of the Supreme Court. The case is still before the courts.

Lost Battles

The antipoverty lawyers don't always win, of course. They failed, for example, when they asked a court to declare unconstitutional the practice of the Internal Revenue Service of attaching 100% of a person's income as payment for delinquent taxes. They also failed in a suit asking that the state formula for aid to local school districts be declared unconstitutional on the ground that it discriminates against poorer districts.

The growers and other political opponents of CRLA are strongly supporting Sen. Murphy's

only represent the poor in routine matters but sometimes also challenge public agencies or the existing law itself.

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The amendment would give governors the power to eliminate all or any part of any OEO legal service program in their states. Under present law, a governor has only the choice of vetoing or accepting the program as a whole, and the OEO may override his veto.

If the amendment becomes law, poverty lawyers fear some governors will slash programs that have been suing governmental agencies, stirring up controversy and overturning laws. Clearly, that prospect wouldn't disturb Sen. Murphy.

Sen. Murphy's View

"The program was not to set up a bank of lawyers to enjoin the California state legislature, or the Secretary of Labor, or the governor of the state, or to come in and try to attempt to write complete legal reform," he argued before the Senate. The intent, he said, was "to provide individual legal services for some poor fellow who could not afford a lawyer."

Opponents of the Murphy amendment include the American Bar Association, the United States Judicial Conference (the policy arm of the Federal judiciary) and other legal groups. Another opponent, Terry F. Lenzner, director of the OEO legal services program, argues that the amendment would intimidate the Federal lawyers and place "in serious jeopardy" their ability to "effectively represent poor people."

The legal services program, written into the antipoverty law in 1965, was designed to complement the existing public defender system and other legal aid programs. The poverty lawyers weren't authorized to handle criminal cases, only civil ones. But despite that restriction they have made themselves felt.

In New York, the lawyers have upset residential requirements for welfare receipients in a case that has reverberated nationally. In the South, they have tackled unpopular civil rights cases. In Minnesota, they have helped make divorce proceedings cheaper for the poor, and here in San Francisco they have sued to stop a $50 million urban renewal project. Every state except North Dakota has at least one legal services program, and together the programs employ about 1,800 lawyers.

Angering the Governor

Some programs are large, others small. The Tulare County program in California's Central Valley operates with only two lawyers and pretty well fits Sen. Murphy's concept of what a program should be. Its lawyers are completely tied up with individual clients, about 20 a day, who have disputes with other individuals. About 60% of its cases involve consumer frauds.

But CRLA is something else. It is statewide in scope, the biggest and most aggressive legal services program in the state—and also the main factor behind Sen. Murphy's proposed amendment. Since its inception in 1966, CRLA has been in conflict with farmers, the Senator and Republican Gov. Ronald Reagan. In fact, an irate Gov. Reagan threatened in 1968 to veto the program but backed off when Sargent Shriver, then the OEO director, indicated he would override the veto.

Within the OEO, however, CRLA is considerd the prototype of exactly what an activist legal services program should be. It has been praised by an OEO advisory committee, and it already has inspired similar programs in Colorado, Southern Florida and Texas.

CRLA's 40 lawyers man nine branch offices scattered throughout California's farm country. At the main headquarters here, Cruz Reynoso, CRLA's 38-year-old director, directs his

Please Turn to Page 14, Column 2

ported the use of braceros in his successful 1964 campaign.

Growers were hit more directly in the pocketbook by another successful CRLA suit. When a California state agency boosted the minimum farm wage for women to $1.65 an hour from $1.30, growers won a court injunction against the increase. CRLA won a suit forcing growers to start paying at the higher rate and also to pay some $800,000 in back wages to about 20,000 women workers.

When CRLA discovered last year that 16 of the state's 58 counties weren't participating in the Federal food stamp program for the poor, it obtained a Federal court order requiring the Department of Agriculture to extend the program to those counties. The OEO lawyers also are arguing that the state law requiring two-thirds approval for local bond issues violates the "one-man, one-vote" doctrine of the Supreme Court. The case is still before the courts.

Lost Battles

The antipoverty lawyers don't always win, of course. They failed, for example, when they asked a court to declare unconstitutional the practice of the Internal Revenue Service of attaching 100% of a person's income as payment for delinquent taxes. They also failed in a suit asking that the state formula for aid to local school districts be declared unconstitutional on the ground that it discriminates against poorer districts.

The growers and other political opponents of CRLA are strongly supporting Sen. Murphy's efforts to amend the OEO law. Les Hubbard, assistant director of the Council of California Growers, calls Sen. Murphy's amendment "a gem."

Mr. Hubbard charges CRLA with bringing "nuisance suits" against growers; among other things, CRLA has charged many growers with knowingly hiring illegal Mexican "wetbacks" or violating state sanitation requirements in the fields. He cities the case of one small grower who couldn't afford the $500 retainer attorneys demanded when he sought help in one such suit.

"There was no legal aid for him," says Mr. Hubbard. "I think it's unfair when they start using a guy's own tax money to put him out of business."

Union Link Charged

Growers also complain that CRLA is a "'Government-paid lawyer" for the AFL-CIO United Farm Workers Organizing Committee; the committee is headed by Cesar Chavez and its main effort currently is to unionize grape pickers. (Mr. Chavez served on CRLA's board of trustees until six months ago; his principal assistant still sits on the board. Mr. Reynoso of CRLA says his lawyers have represented union members as individuals, but never the union itself.)

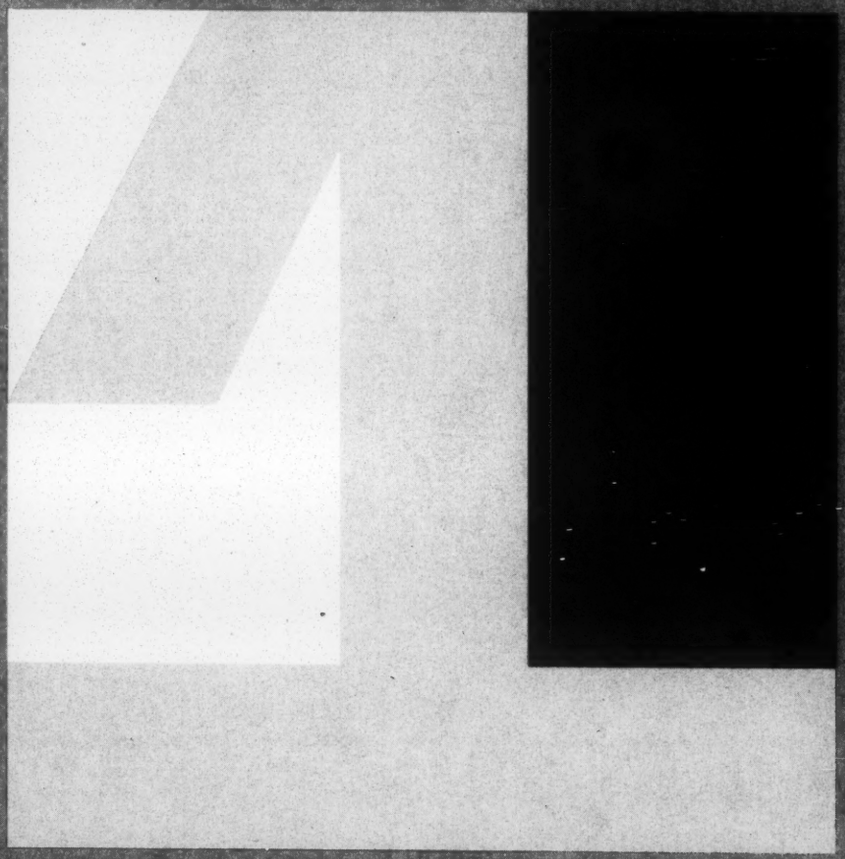
OEO officials fear that if Sen. Murphy's amendment passes, it will be much harder to recruit and retain aggressive young lawyers. "They want a program where they can be creative and innovative," says Mr. Lenzner, the head of the OEO legal services program. Many of the OEO lawyers are recruited directly out of law school.

The 40 CRLA lawyers average less than 30 years of age, and their director, Mr. Reynoso, is a self-styled "old man" at 38. Salaries begin at $10,000 a year; Mr. Reynoso earns $20,500.

"Being a poverty lawyer is a tough racket," Mr. Reynoso says. "On one side we have Murphy and Reagan saying we're doing too much. At times I only wish that was even half true. Because on the other side, the poor people get very impatient with us. They're suspicious of attorneys anyway, and they think it takes forever to get things through the courts."

Law Enf-Gen 1969 Rin

1st Annual Report of the Law Enforcement Assistance Administration

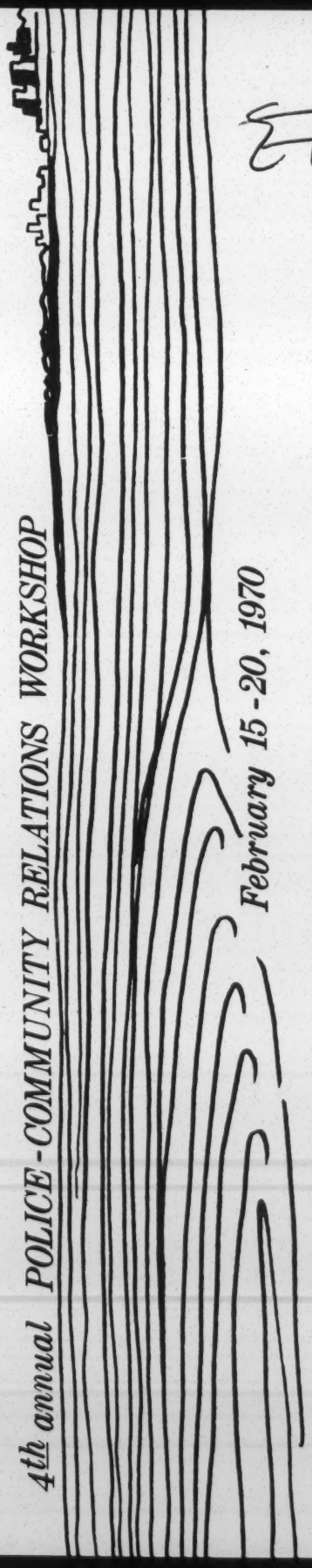


Fiscal Year 1969 / U.S. Department of Justice

Administration of Justice

COOPERATING AGENCIES

Alabama League of Municipalities
American Jewish Committee
Anti-Defamation League
Association County Commissioners of Georgia
Atlanta Metropol
Federal Bureau of Investigation
Federal Bureau of Prisons
Florida League of Municipalities
Georgia Association of Chiefs of Police
Georgia Committee of the National Council on Crime and Delinquency
Georgia Law Enforcement Council
Georgia Municipal Association
International Association of Chiefs of Police
Metropolitan Atlanta Commission on Crime and Juvenile Delinquency, Inc.
Mississippi Municipal Association
Municipal Association of South Carolina
National Conference of Christians and Jews
National Jail Association
National Sheriff's Association
South Carolina Law Enforcement Officers Association
Southern Regional Council
U. S. Department of Health, Education and Welfare
U. S. Department of Justice
Law Enforcement Assistance Administration
U. S. Treasury Department
The University of Georgia
Institute of Government
Center for Continuing Education



SCHEDULE of ACTIVITIES

SUNDAY - February 15

REGISTRATION - 4:00 to 6:00 p.m.
–Conference lounge

BANQUET - 6:30 p.m.
--Banquet area

Presiding: Mr. James P. Morgan, Jr., Administrator, Police Science Division, University of Georgia

Invocation – The Reverend A. Wilson Cheek, Executive Director, NCCJ

Fraternal Welcome – Chief E. E. Hardy, Athens Police Department

Welcome – Dr. M. W. H. Collins, Jr., Director, Institute of Government, University of Georgia

Keynote Address: Chief Laurie Pritchett, High Point, North Carolina

SOCIAL - 8:30 p.m.
–Downtowner Motor Inn

MONDAY - February 16

Law and Order

MORNING SESSION - 9:00 a.m. to Noon

Historical Development – Dr. Frank K. Gibson, Political Science Department, University of Georgia

A Policeman's View – Sheriff Mel Bailey, Jefferson County, Alabama

A Citizen's View – The Reverend J. C. Ward, Pastor, Hunter Hills Baptist Church, Atlanta

AFTERNOON SESSION - 1:00 - 5:00 p.m.

Panel Discussion of Problem Areas
Panelists: Lieutenant Colonel Richard Korstad, Fort Gordon, Georgia; Sheriff Bailey; Dr. Gibson; and the Reverend Ward

TUESDAY - February 17

Systematic Approaches to Problem-Solving

MORNING SESSION - 9:00 a.m. to Noon

Four-step Approach to Problem-Solving – Dr. Morton Cotlar, Department of Management, College of Business Administration, University of Georgia

1. Analyzing problems
2. Formalizing approaches
3. Selecting effective solutions
4. Measuring efficiency of solution

AFTERNOON SESSION - 1:00 to 5:00 p.m.

Community Relations Through Communication – Dr. Richard Huseman, Department of Speech, University of Georgia

1. Communication in situations of stress
2. Understanding and disspelling prejudice

SOCIAL - 7:30 p.m.
–Maddox Center

WEDNESDAY - February 18

Behind the Mask. . .

MORNING SESSION - 9:00 a.m. - Noon

Panel Discussion
Moderator: Dr. Robert A. Lorinskas, East Tennessee University
Panelists: Mr. James McGovern, Executive Director, Metropol, Atlanta, and the Reverend Harkey Klinefelter, United Church of Christ, Atlanta

AFTERNOON SESSION - 1:00 to 5:00 p.m.

Individual Officers' Responsibility – Captain Howard Baugh, Atlanta Police Department

Film: "Not All Cops, Not All Kids" – Mr. Robert L. Evans, Coordinator, Law Enforcement Training, University of Georgia

Stimulating Public Interest – Chief Paul Dumas, University of Georgia Police Department

Developing Community Relations Programs – Captain Sidney H. Cates, III, President, National Association of Police Community Relations Officers

THURSDAY - February 19

Positive Programs

MORNING SESSION - 9:00 a.m. to Noon

Speakers:
–Chief John Conroy, Charleston, South Carolina
–Vincent K. Antle, Department of Public Safety, Dade County, Florida
–Captain Sidney H. Cates, III, New Orleans, Louisiana

LUNCH - 12:00 noon

Speaker: Mr. Kenneth Rosemond, Head Basketball Coach, University of Georgia

Developing a Community Relations Unit

WORK GROUPS - 1:00 to 5:00 p.m.

Advisors: Chief Conroy, Mr. Antle, Captain Cates, Mr. Paul Estaver, Civil Disorders Control Program, LEAA, and Professor P. Kreutzer Garman, DeKalb College

BARBECUE DINNER - 7:00 p.m.
–Pinecrest lodge

FRIDAY - February 20

Around the Corner

MORNING SESSION - 9:00 a.m. to Noon

Inter-personal Communications – Dr. Jack Blakeman, Department of Counselor Education, College of Education University of Georgia

Imaginative Approaches – Mr. Lee McGehee, Education Associate, Police Science Division, University of Georgia

Evaluation – Mr. Robert L. Evans

Presentation of Certificates

Adjournment (approximately 1:00 p.m. after lunch)

General sessions – Room B
Meals: Breakfast, 7:30 a.m.; Lunch 12:00 noon; Dinner, 6:00 p.m.
–in Banquet area
Refreshment breaks - Lobby lounge

APPLICATION FOR ADMISSION

Mr.
Mrs.
Miss _____
(name - please print or type)

_____
(street address)

_____
(city) (state) (zip)

_____
(department and position)

Please complete for the Center statistical record:
Education completed: high school ( ); college ( ); graduate work ( ); other_____

Age group: under 22 ( ); 22-35 ( ); 36-55 ( ); over 55 ( )

REGISTRATION: (make check payable to University of Georgia)

( ) $99 per person
Includes tuition, meals beginning with Sunday evening dinner through Friday lunch, lodging (double occupancy) Sunday through Thursday nights, and all instructional costs and materials.

HOUSING:
A block of rooms will be held at the Georgia Center for this group for a limited time. Rooms not reserved in advance may be released for use of other conference groups.

_____
(Dates you wish housing reserved)

Arriving_____
(date and approximate time)

Departing_____
(date and approximate time)

THIS FORM MAY BE DUPLICATED FOR ADDITIONAL PARTICIPANTS

RETURN TO
LAW ENFORCEMENT TRAINING
Center for Continuing Education - Room 231
University of Georgia
Athens, Georgia 30601

PLAN of the WORKSHOP

Objectives. . .

The program is designed to stimulate development of police-community relations programs and to improve existing programs through evaluation and use of current management techniques.

Instructional staff. . .

Authorities selected from law enforcement and educational communities.

General information. . .

Participants should be assigned or designated in the community relations field. Applications will be accepted on a "first come-first served" basis. Registration in advance is required.

The fee is $99 per person and includes all instructional costs and materials; double occupancy housing Sunday through Thursday nights and meals from Sunday evening dinner through Friday lunch. "Out of pocket" expenses will be travel and personal expenses.

Participants are requested to bring clothing and equipment for leisure time and athletic activities. Also, please bring copies of any materials presently in use by your department in the field of community relations.

A limited number of scholarships are available through the National Conference of Christians and Jews, and application should be made through NCCJ Regional Offices.

Manpower Training Seen As Weapon In War Against Crime

The Labor Department's vast manpower experience is being used as a weapon in the war against crime, according to Jerome E. Rosow, Assistant Secretary of Labor for Policy, Evaluation, and Research.

Speaking at the recent First National Workshop on Prison Inmate Training in Washington, D.C., Rosow emphasized the increasing interest that the Department is taking in the broad field of offender rehabilitation.

He said the Labor Department has experimented with several successful approaches in assistance for offenders through in-prison training, pre-trial manpower services, job placement, and bonding for post-prison jobs.

Rosow suggested an effort to engage the full energies of private employers, and of the manpower system in an effort to link the inmate offender with the labor market and reasonable employment opportunity.

He said the key element for each individual could be a personally-tailored plan for employment and job development.

"The Department of Labor," he declared, "has had considerable experience working with private employers on behalf of the disadvantaged — as in our JOBS program with the National Alliance of Businessmen. We are prepared to bring this experience to bear on the problems of offenders."

Rosow said there is "substantial reason to believe" that a comprehensive approach to the employment and training problems of the offender can produce signficant results.

"The Department of Labor can and and should play a significant role in the development of a government-wide approach to the problems with which the criminal justice system now seeks to deal," he said.

"In large part this is because the significant relationship between unemployment and crime represents a key intervention point in the life style of the offender."

Rosow said the Department is now carefully reviewing all of its present and past activities in this area — research, experimental and demonstration projects, a pilot bonding program, and the inmate training program.

"We also are examining new ideas for programs as well as ways and means of creating additional knowledge that may contribute to the development of effective policies," he said.

Adm of Justice

WHO WILL WEAR THE BADGE?

A Report of the United States Commission on Civil Rights 1971

Clearinghouse Publication No. 25

Copy for EV 5-18-70

WHO GUARDS AGAINST THE GUARD?

The tragic turn of events at Kent State focused nationwide attention on the National Guard—its training, its leadership and the guidelines under which it operates when it goes into action to quell civil disturbances. Ultimately, the affair raised the question of whether guard units are capable of coping with domestic unrest at a time when the solution can be more ominous than the problem.

National Guard units are really militias under the command of the governors in each of the nation's 50 states. The units can, of course, be "federalized" by the President during times of national emergency. And even under state control, they rely on training standards set up by the Pentagon for the regular Army. These standards, which were updated by Lyndon Johnson after poorly trained, trigger-happy National Guard units killed scores of people, many of them innocent bystanders, during racial riots in the summer of 1967, provide that each soldier undergo a basic 33-hour course in riot control, to be supplemented by a sixteen-hour refresher course every year.

According to sources in the Ohio guard, the militiamen on duty at Kent State had all undergone riot training. "It was fairly good," said one official. "But there are some things you can't simulate —like people throwing rocks and hitting people." In addition, the Kent contingent had had a good deal of on-the-job riot experience, including stints in Cleveland's Hough district during racial trouble there and an assignment quelling unrest at a state prison in Mansfield last year.

Training: On the record, at least, the formal training is designed to instill the guardsmen with discipline and restraint. To accomplish this, the troops are indoctrinated with the "rules of engagement," drawn up by the Pentagon and designed to cope with civil disturbances in a manner that does not inflame them. These rules specify that an individual guardsman will not load or fire his weapon "except when authorized by an officer in person, when authorized in advance by an officer under specific conditions or when required to save my life." Full fire power, the rules go on, should be used only on order of the senior commander and then only as a last resort when "the consequences of failure to completely subdue the riot would be the imminent overthrow of the government, continued mass casualties or similar grievous conditions." If a soldier is forced to fire, the rules continue, he should "aim low to disable rather than to kill." "Snipers," the Pentagon rules add emphatically, "should be engaged only on order and by a single selected marksman or firing team. Laying down a 'barrage' accomplishes nothing constructive and endangers the lives of innocent bystanders."

The Valley Daily News, Tarentum, Pa.

Kent State: Accusing the guard

The problem with the guidelines is that they are not binding on guardsmen who are under state jurisdiction. The Ohio contingents involved in the Kent shooting were operating under their own set of rules. The Ohio rules of engagement, which give guardsmen more leeway, hold in part: "At riot scene and just before he is committed to the street, individual guardsmen will load and lock [insert round in chamber] upon authorization of a responsible officer. Weapon is fired when authorized by a responsible officer unless individual is fired upon or when his life is otherwise endangered."

Whether they are operating under the more stringent Pentagon guidelines or the less restrictive state guidelines, the 385,000 National Guardsmen in the United States tend to be tough on students when their units are mobilized for campus duty. The great majority of guardsmen, like most of the men on duty at Kent, are blue-collar workers who tend to hold a conservative point of view. With the exception of some guardsmen at Kent who were themselves students at the university, most of the militiamen on the campus seemed to feel, even after the shooting incident, that the students had asked for trouble. Patrolling the campus after the shooting, guardsmen still had bullets in their rifle chambers—and fingers on triggers. "We don't go nowhere without being loaded," said one captain. "We've never moved into a crowd confrontation without a round in the chamber and locked."

NEWS WEEK 5-18-70

HONG KONG: NEWS WEEK

Creative Restraint

5-18-70

Justice

5-18-70

Police officials in Hong Kong were baffled by the reports they received last week on the riots in the United States. "I just don't understand all the blood and gore on American campuses," said one of them. "That a man should decide on his own when it is necessary to fire into a crowd is unheard of. If you do fire without orders, then the blood is on your hands." Few people have a better right to criticize, for police experts rate the British colony's 13,000-man force as one of the best in the business. When Hong Kong Communists attempted to import the Great Proletarian Cultural Revolution from the mainland in 1967, they showered the police with bricks, bottles, building tiles, flower pots and scrap iron. Yet hardly a shot was fired as the police smoothly restored order.

It wasn't always like that. More than 60 people were killed during one riot in 1956, and in the outcry that followed, Hong Kong's governor admitted that police shortcomings were partly responsible. As a result, riot training was given top priority. Every policeman, even the predominantly British officers, must spend almost nine months undergoing a tough course in riot control. Among other things they repeatedly confront mock demonstrators, who try to provoke them with the Chinese version of a universal epithet: "Yellow running dog working with the white-skinned pigs!" Says one instructor: "Some of these chaps can be hot-headed, but all the drilling tends to keep them calm."

It doesn't always work, of course. A few years ago, one police contingent stood its ground patiently while a mob of taunting Communists brandished little red books and chanted "Mao! Mao! Mao!" Finally, the police could stand it no longer. They reached into their starched khaki pockets, pulled out their blue notebooks and chanted "Tyrer! Tyrer! Tyrer!" Edward Tyrer, who was Hong Kong's Police Commissioner at the time, was not amused.

Hong Kong police are under strict orders to avoid any such confrontations. Indeed, their whole strategy for dealing with an unruly mob is to give its members every chance to escape a violent clash. This means always leaving an escape route open. "We don't care where they go," says one officer, "so long as they go." When a mob ignores an order to disperse, the police use the least possible force to get them moving. "We operate slowly and deliberately," says one policeman, "so the crowd has ample time to see exactly what the platoon is going to do." The front rank of the anti-riot formation is manned by police with helmets, wicker shields and 18-inch batons. A rear rank unleashes a barrage of tear gas and hard teakwood pegs that inflict stinging bruises. Only then do the batonmen charge, swinging for shoulders or backs, instead of breaking heads.

Hong Kong Star

Slow and deliberate: Hong Kong riot police load up with tear gas

Orders: Guns are used only as a last resort, and then by just one marksman. "You are not allowed to shoot except under order," says a commander. "You are not even allowed to load unless ordered." And such orders are not given until the crowd is warned that firearms will be used. Next, a banner is unfurled repeating the warning in Chinese and English. Then the commander signals the marksman to load by placing a hand on his shoulder. A panicky patrolman who once ignored this procedure and fired an unauthorized warning shot in the air was disarmed and later court-martialed.

Hong Kong's policemen do not claim to hold the patent on quelling riots bloodlessly. But their brand of creative restraint could turn out to be another successful Oriental export. Already, Chicago's rough-and-tumble police are experimenting with one of Hong Kong's trademarks—the useful little wicker shield.

Admin of Justice

Training Police as Specialists in Family Crisis Intervention

DEC 1 REC'D

NATIONAL INSTITUTE OF LAW ENFORCEMENT
AND CRIMINAL JUSTICE

U.S. DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

MEMO FROM THE DESK OF: ARK – COMBAT

EV

Emory F. Via

Any further reaction on my part – PA

PA & EV discussed with Revs. Cato Brooks & LeRoy Laird – 6/11/70

Recommended —

Justice Dept as planned on law enforcement attitudes

Re-write Pol. ed & econ. development to separate, to remove possibility of partisan activity, to see VEP for possible limited grant through

Ask Statewide VEP, to
resubmit econ. develop
proposal to SRC for
comment if wanted,
to use SRC for consultation
and tech asst. if econ.
develop. project funded.

Crime: The Neglected Battlegrounds

Adm. Justice

W-S-J. 8/20/70

Politics *and* People

By ALAN L. OTTEN

WASHINGTON—The nation's newspapers one day last week featured two seemingly unrelated stories in adjoining columns. Chief Justice Warren Burger had made an urgent plea for top-to-bottom improvements in the nation's court system, and prisoners were rioting against dreadful conditions in New York City's Tombs prison.

The two stories complemented each other perfectly, though, for the courts and correctional system remain vastly neglected battlegrounds in the war against crime. Moreover, until a great deal of thought, effort, and, unfortunately, money are devoted to these two battlegrounds, there won't be too much progress in that war.

This message is hardly a new one. Justice Burger, making his plea at the American Bar Association convention, recalled that Harvard Law School Dean Roscoe Pound had similarly called for court reform in a speech to the ABA exactly 64 years earlier. As for corrections, the Presidential-appointed Wickersham Commission in 1931 deplored archaic prison conditions as crime-inducing rather than crime-correcting, in language almost word for word like that used by President Johnson's crime commission in 1967.

It's not difficult, of course, to recognize just why so little action has occurred in these two areas over the intervening decades. For many years, the nation simply wasn't very concerned about crime. Then, when crime did become a top concern, it was almost inevitable that officials would try to deal with it by tough new anti-crime laws and by beefing up police departments. Police were, after all, the visible frontline troops in the anti-crime fight, the men to give the most bang for the buck, the ones who had been complaining most vocally of public neglect.

And so the great bulk of anti-crime thought went into new police methods and approaches, and the great bulk of recently rising anti-crime outlays went for more cops, higher pay, special training, new and sophisticated equipment. Corrections and courts got only stray thoughts and odd dollars.

Outdated Prisons

Certainly the neglect is not for want of knowing the problem. Quite clearly, the nation's prison system is hopelessly out of date, both physically and philosophically. Sixty-one of the larger prisons were opened before 1900, and 25 of these are more than 100 years old. Jails and prisons are incredibly overcrowded. Young prisoners and first offenders are often confined with hardened criminals, to be attacked and molested, to be taught more sophisticated crime. Prison staffs are small, poorly paid, inadequately trained. Guidance and counseling are notably inadequate. Vocational training is either non-existent or obsolete, training prisoners for types of jobs no longer there.

In short, instead of rehabilitating criminals, the jails and prisons breed tougher ones. Two-thirds of all released prisoners will commit another crime, usually a more serious one.

Asking Attorney General Mitchell last November to look into 13 specific ways to improve the Federal correctional system, President Nixon noted that repeater rates are even higher for persons under 20 than those over 20, and declared that "there is evidence that our institutions actually compound crime problems by bringing young delinquents into contact with experienced criminals." Asserts Rep. Abner Mikva, a Chicago Democrat deeply interested in the problem, "The way jails today corrupt rather than correct, I'm not sure we wouldn't make more progress against crime by doing away with them completely."

Other correctional activities today are no better. Work-release and school-release programs, group homes, halfway houses and similar efforts are still far too scarce. The Washington Star last week reported that 95 District of Columbia convicts were in jail, even though judges had officially assigned them to halfway houses, because there were no houses to take them. Probation and parole systems are similarly spotty across the nation. Caseworkers are ridiculously overloaded, unable to exercise any real supervision over their charges; a brief interview once or twice a month is the best most of them can manage.

The court system is similarly antiquated. Judges are overworked, the job of the good ones made infinitely harder by elderly colleagues who won't retire but don't carry their share of the load. They are buried under mountains of paperwork, the product of administrative procedures still back in the 19th century and of a dreadful dearth of trained court administrators. More significantly, the number of cases steadily soars as drug offenses and other law violations increase, as more cops arrest more people, as new legal aid efforts contest charges.

Dockets become ever more jammed, and the time between arrest and trial and sentencing steadily lengthens. Bail procedures are crazily complex. Rarely does a judge have any pre-trial background information on the accused. Plea bargaining is increasingly common—the prosecutor and defense attorney negotiating on the plea to be entered and the sentence to be passed, with the judge a more or less passive onlooker. New York Mayor John Lindsay told the ABA convention last week that of 18,000 prisoners in his city's jails, 8,000 were awaiting trial; twenty new criminal judges, a 30% increase, had made no appreciable dent in calendar delays.

And with the courts and correctional institutions in such a mess, it's practically inevitable that almost everyone involved with them quickly loses respect for the whole criminal justice system, seriously aggravating the already huge crime problem.

Need for New Facilities

If the problems are relatively clear, so are many of the answers. Federal, state and local governments must engage in a massive construction program of new correctional institutions—up-to-date and specialized facilities, local and regional, for juveniles, alcoholics, drug addicts and other special types of offenders. These new facilities must have first-rate diagnostic services, excellent treatment programs and counseling, relevant job training.

Far more effort must be made to keep prisoners closer to home, to develop open-prison and work-release programs, to operate halfway houses and other highly-supervised alternatives to prison. New efforts are needed to help suspects between arrest and trial—pre-trial counseling, programs for conditional work release without trial. Special attention must be devoted to juvenile offenders, with large specially trained staffs, with the use of foster homes or group homes to remove youths from unfavorable family or neighborhood situations, with community treatment of juveniles and other special rehabilitation programs.

Far more and better trained professionals are needed at every level—from prison guard to prison psychologist to parole worker—and more use of paraprofessionals and volunteers. Better research is needed in dozens of areas.

As Justice Burger said, the courts need more judges, more businesslike procedures, specially trained personnel to handle the administrative load. They need more prosecutors and more defense lawyers to get earlier and speedier trials, perhaps night and Saturday sessions.

Judges need other kinds of help, too—to provide detailed information on prisoners coming up for trial, to study sentencing practices in other jurisdictions, to give other helpful background data. Perhaps most importantly, several major types of cases should be completely removed from the criminal courts, switched to administrative or other non-judicial bodies: Routine drunkenness cases (one-third of all arrests are for drunkenness), drug addiction, prostitution, gambling.

Happily, there are finally a few small signs of progress. Mr. Nixon's November directive to his Attorney General, ordering

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Happily, there are finally a few small signs of progress. Mr. Nixon's November directive to his Attorney General, ordering work in 13 specific correctional areas, is one bit of evidence. The American Bar Association, in response to a speech last year by Justice Burger, has set up a special commission to enlist public support for improvements in local correctional systems.

While Federal funds under the so-called Safe Streets Act are still going preponderantly into police work, there has been a significant increase in spending on corrections, both in actual dollars and in the percentage of the total funds—up from 14% in the year ending in June 1969 to about 27% in the year ending June 1970. A recently passed House bill to extend the act would require at least one-fourth of all future outlays to go for correctional facilities and probation work, and would increase to three-fourths from one-half the Federal share of the cost of new facilities.

A number of state and local governments are increasing their own spending on corrections and the courts, and some are carrying on interesting experiments with detoxification centers, special drug treatment programs, pre-trial release without bail, job training for young offenders between arrest and trial, broader community involvement in rehabilitation programs. A new court management institute in Denver will train people to ease the administrative load on judges. There seems to be an initial open-minded reception for Justice Burger's proposal for a special Judicial Council that would study ways to use the courts better, including ideas for removing types of cases from court jurisdiction.

Frightening Costs

Progress still comes far too slowly, though. The costs involved frighten many away from any action at all. A Prisons Bureau study headed for Mr. Nixon's desk, for example, proposes 166 new Federal correctional institutions, at a cost of $700 million, while needed state and local institutions would require billions more. The cost of training thousands of more correctional workers, of more court help, of better-paid prison guards, are all substantial.

Governments at all levels still find it politically more appealing to put scarce tax dollars into more dramatic anti-crime work, such as more cops or fancier equipment. Mr. Nixon, for instance, asked Mr. Mitchell for a progress report on the 13-point program by mid-May; the report still hasn't appeared. The Justice Department has been conspicuously unenthusiastic about the House provision reserving one-fourth of Federal funds for corrections. Any specific proposals to remove certain types of cases from the criminal courts are sure to be highly controversial.

Yet continued delay in dealing with all these problems not only raises questions about likely progress in the entire war against crime but means that even greater outlays of money and far more drastic solutions will likely be needed whenever the nation does finally turn its attention to them. Construction costs rise steadily for prisons or halfway houses just as they do for homes or office buildings. The shortage of trained workers will grow steadily more acute. The research and experimentation questions will multiply.

It should be painfully apparent that arresting more and more people will do little good if they are then committed to an excruciatingly jammed judicial system and a dismally debasing correctional system. The nation cannot be truly considered serious about fighting crime until it devotes dramatically more imagination, effort and dollars to these two neglected battlegrounds.

Aug 24, 1970

Admin of Justice

Contacts:

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8/24/70

To: Emory Via
From: Jerry Everhardt
Re: Re-regionalization of control of legal aid

Legal aid-CAP conflict background

When the legal aid program of OEO was originally established in 1965, it was administratively a delegate agency of the Community Action Programs. This meant that Legal Services Offices (LSO) were under the control of Regional OEO offices whose directors were not lawyers, often had difficulty in grasping the philosophy of legal aid as it applied to law reform and affirmative advocacy on behalf of the poor, and were in the position of poising problems of professional ethics for lawyers especially in the area of lawyer-client relationships.

This situation produced a history of conflict between LSO and CAP personel. This must be seen as a result of the above factors as well as the bureaucratic jealousies which resulted when a program receiving only 5-7% of the total OEO appropriation (LSO) was praised as the "crown jewel of the war on poverty" while the CAP programs received 95% of the appropriation but seemed, at best, less than effective. It was not unnatural that the Regional Directors (who were CAP people) would be less than sympathetic toward LSO.

Shortly after the Nixon Administration entered office (I'll check the specific date and statement) and appointed Terry Lenzner as director of LSO in Washington, the President announced that control over LSO would be removed from the Regional OEO offices and placed in the national LSO office in Washington. In effect, this meant that LSO would now control its own affairs and programs, free from control by CAP and responsible only to Rumsfield, OEO Director Administratively, this meant that responsibility for evaluation, funding, expansion, or cancellation of LSO programs now rested in Washington since the OEO Regional office could not "sign-off", i.e. make a decision, on legal aid programs without the approval of LSO headquarters Politically this meant that the national headquarters could, if necessary, mobilize national support from the ABA, client groups, friends in Congress, the press, etc., to resist pressures against its programs which might have been crippling or fatal if they had been focused against LSO at the regional level without some way of venting them to Washington.

Political Background

The first important political attack on legal aid came in 1967 when Sen. Murphy (R.-Calif.) introduced an amendment to the Economic Opportunity Act which would have prevented LSO lawyers from filing suits against agencies of governments (eg. welfare

departments). This was defeated.

In the latter part of 1969 Murphy introduced another amendment to the EOA which would give the governors of the respective states a line-item veto over the OEO programs in their state without it being subject to the veto-override power of the OEO Director in Washington. This amendment was widely reported to have resulted from a running dispute between Governor Reagan and California Rural Legal Aid which had filed successful suits challenging cuts in the California Medicaid program and the importation of Mexican farm workers to work in California.

The amendment was adopted but later defeated in the Senate and was never introduced in the House as a result of belated opposition by OEO Director Rumsfield and the consistently strong opposition of the ABA. The ABA labeled the measure an "oppressive interference with the freedom of the lawyer and the citizen".

At about the same time, the Quie-Green amendment to the EOA was introduced in the House. This measure would have turned complete control of OEO programs, including legal aid, over to the states through the State Economic Opportunity Offices operating under the office of the Governor. This amendment was defeated with the help of a lot of carryover support generated by the Murphy struggle. At the time, Congressman Perkins admonished OEO not to try to do administratively what they had been prevented legislatively from doing by statute.

In the time which has passed after the defeat of Murphy there has been a great politization of the atmosphere surrounding legal aid as a result of its continued effectiveness and aggressiveness (eg. there are now over 100 suits pending against the federal government alone). This is not to say the atmosphere was not political before but rather that political pressures have greatly increased within the last year.

For example, William D. Ruckelshaus, Assistant Attorney General in charge of the Civil Division of the Justice Department has said, "the objection I have to some of the suits they (legal aid groups) have filed is that they are politically motivated." This seems to reflect the low regard in which the Administration holds the consideration of professional ethics in the political evaluation of legal aid (this statement drew a condemnation from the President of the ABA as being an unethical challenge to the motive of an attorney in filing litigation) but also the desire to rein in legal aid activity in politically sensitive areas.

This Administration attitude is further shown by the statement attributed to Rumsfield that the relationship of an attorney to his client is determined by who is paying the bill. In other words, a lawyer who represents a client who can pay owes his sole loyalty to that client but a legal aid lawyer should owe his greatest loyalty to the government which is paying his bill. The implication of this line of reasoning for legal ethics is plain; more importantly for the poor, this curious logic could deprive them of legal

assistance when litigation is in order involving government programs. The adverse affect of this should not be underestimated.

Despite the warning of Congressman Perkins in 1969, Rumsfield has administratively accomplished the effect of Quie-Green in Oklahoma by instituting the "Oklahoma Plan". This supposedly experimental plan gives control of OEO programs, except legal aid, to the Oklahoma SEOO. Legal aid was not included, apparently through an oversight, but there is no guaranteethat its exclusion will continue. If it should be included in the future, the effect of the Murphy amendment of 1969 will be accomplished.

The Immediate Problem

The immediate crisis facing LSO is the quiet, almost clandestine, attempt by the Administration to shift responsibility for legal aid back to the Regional OEO offices. This would re-establish the pre-Nixon control situation vis CAP-LSO but given the political deterioration in the past year, it would magnify the harmful effects on LSO. The Regional offices are now for the most part being treated as Republican patronage positions at the Director level so that the Directors can be expected to be even less sympathetic than in the past.

This effort at "re-regionalization" would expose LSO to political pressures at the regional level which could previously often be de-fused in Washington. If this succeeds, ABA support will effectively be boxed out in any crisis, less sympathetic press coverage will result, and the level of visibility will become so low that thses local political pressures will effectively direct the course of legal aid.

Frank Duggan of LSO in Washington has said that at least some of the attorneys there intend to fight this by making it a public issue and attempting to enlist ABA support, etc., before they are faced with a fait accompli. He expects that many may loose their jobs as a result but that many would resign anyway if re-regionalization is successful. These expectations plus the restrictive personel approval policies of the Administration would be a cruel blow to the quality of the advocacy the poor could expect to receive.

Recommendations

1. In conjunction with sympathetic people at the national and regional levels of LSO, SRC should design a strategy to make "re-regionalization" a national issue.
   a. SRC could consider breaking the story to the media itself and thus drain some of the pressure from LSO people which they will receive if they are forced to break the story themselves through petitions, resignations, etc.
   b. SRC could work in conjunction with the ABA nationally and with such groups as the State Human Relations Councils regionally tobring telephone/telegraph/ letter pressure to bear against such people as Rumsfield and Bob Brown, the Director

of OEO and the President's Counsel on Minority Affairs, respectively, and the President to reverse this decision.

1. Duggan recommends that in view of the Administration's sensitivity to charges of being anti-Negro, the racial implications of the effects of this step should be emphasized in mobilizing opposition.

2. Any steps SRC may decide to take should be initiated with all possible speed in view of the fait accompli problem.

3. Whether this effort at re-regionalization succeeds or not, SRC should begin to think of what steps it could take or support to increase the autonomy of legal aid and thereby its effectiveness.

a. What are the possible implications of the Ash Report?
b. What are the possibilities of a semi-private arrangement for legal aid?

VOL. CLXXVI NO. 50

(Sep 9, 1970)

Unequal Justice

A Growing Disparity In Criminal Sentences Troubles Legal Experts

Penalties Vary From Judge To Judge; Bitterness Said To Hinder Rehabilitation

A Tip: Wear a Tie in Court

9/9/70

By GLYNN MAPES
Staff Reporter of THE WALL STREET JOURNAL

In 1923 a fresh-faced farm boy and an older ex-convict attempted to rob a grocery store in Mooresville, Ind. The youth bungled his role, and police soon captured the pair.

The youth, a first offender, pleaded guilty in court on the advice of his father. He was sentenced to 10 to 20 years in jail. His more experienced associate, who had planned the robbery, was luckier: He went before a different judge and got only two to 10 years.

While in prison, the youth smoldered with resentment over his clearly inequitable sentence. He began to speak of getting even for the "raw deal" he had gotten from the judge. After nine years he was paroled, an embittered man. He formed a gang that in a few short months looted Midwestern banks of $300,000 and killed 15 men. FBI agents shot him to death outside a Chicago theater on July 22, 1934. His name was John Dillinger.

Impact of Prejudices

A system of justice that would exact a far stiffer penalty on a young first offender than on a veteran criminal helped turn Dillinger into a killer, in the view of penal authorities who have studied the case. That was tragedy enough. But even more disturbing, legal experts say, this country's system of sentencing criminals hasn't improved at all since Dillinger's day—and in some ways, it has grown worse.

"Disparity in sentences is an extremely serious nationwide problem," says Theodore Levin, chief judge of the Federal court for Michigan's eastern district. Judge Levin worries about the "increasing impact of an individual judge's background, personality and prejudices on the sentences he pronounces."

Legal authorities say the trouble caused by inconsistent sentencing is immense. It adds greatly to the logjam in criminal courts, for one thing, because lawyers stall for time until their clients come before a lenient judge—a widely used technique known as "judge shopping."

Sentence disparities also frustrate efforts to rehabilitate lawbreakers. James V. Bennett, an eminent penologist and former director of the Federal Bureau of Prisons, recalls that not long ago two convicted embezzlers arrived at Federal penitentiary in Atlanta. Both were family men with previously clean records. One, who had embezzled $24,000 from a credit union, was sentenced to 117 days. The other, who had embezzled a slightly larger amount from a bank, got 20 years.

"This occurs all too often, and each time we're in trouble," says Mr. Bennett. "Unjusti-

Unequal Justice: Legal Experts Troubled by Sentence Disparities

Continued From First Page

was "superficial" because it was based on only 787 cases.

However, an earlier, more extensive survey of the same court found that one judge imposed prison terms on 75% to 90% of the defendants while another judge, more liberal in imposing fines and probation, sentenced only 35% of his cases to jail terms. The toughest judge in the court consistently imposed prison sentences twice as long as those of the most lenient judge.

White collar crime is rife with sentence disparity. Indeed, when the affluent are convicted of crimes, the punishment is often lenient compared with sentences imposed on poor people for everyday offenses.

Last year in Federal court in Manhattan, for example, a partner in a stock brokerage firm pleaded guilty to an indictment charging him with $20 million in illegal trading with Swiss banks. He hired himself a prestigious lawyer, who described the offense in court as comparable to breaking a traffic law. Judge Irving Cooper gave the stockbroker a tongue lashing, a $30,000 fine and a suspended sentence.

A few days later the same judge heard the case of an unemployed Negro shipping clerk who pleaded guilty to stealing a television set worth $100 from an interstate shipment in a bus terminal. Judge Cooper sentenced him to one year in jail.

In fact, some judges don't think of white collar criminals as criminals, legal experts say. A prime example is the famous electrical equipment price rigging case of 1961. The defendants, including several vice presidents of General Electric and Westinghouse Electric, had committed flagrant criminal offenses in conspiring to fix prices. They even employed secret codes. General Electric alone set aside $225 million to settle damage claims that resulted from the conspiracy.

Outraged Attorneys

In court, the company officials pleaded no contest. They were fined and sentenced to 30 days in jail. Even that short prison term provoked outrage from the defense attorneys. One said he couldn't understand how his client could be put "behind bars with common criminals who have been convicted of embezzlement and other serious crimes."

Children of the well-heeled also seem to fare quite well in court. A 1966 Federal study in California found that 5.3% of juveniles arrested in the state were sentenced to some form of institutional detention. But in the upper-middle-class community of Lafayette, Calif., only 1.3% of the youths arrested were institutionalized. (Also, a far greater percentage of youths in Lafayette were released by police before they even got to court.)

"A middle-class white juvenile delinquent—even if caught red-handed—almost never goes to jail," asserts Mrs. Lois Forer, a Philadelphia attorney who specializes in representing juveniles. "But for a poor kid, it's another story."

One big reason for this disparity is that affluent parents can call on the services of psychiatrists and special schools for "hard-to-manage" children. This often convinces judges to release the youths in their parents' custody.

"I have represented many white middle-class girls caught shoplifting, and almost none of them went to prison," says Mrs. Forer. "This isn't due to my talents, but to the system. I'd say to the court, 'Your honor, this girl wants to go to college, and her family is sending her to a psychiatrist.' Then I'd put Momma on the stand, have her mention the psychiatrist's name—and that's all it would take."

Since the early 1900s most penal codes have been liberalized to give judges greater discretion in sentencing. This trend was considered a humanitarian move: Judges could make the punishment fit the criminal, as well as the crime, and thus could be more lenient on lawbreakers who showed promise of mending their ways.

But it hasn't always worked that way. Some jurists are using this added flexibility to bear down harder on defendants, and this has greatly widened the sentence disparities, legal authorities say.

The net result: Prison sentences have been growing steadily longer in this country—in direct contrast to what's happening in almost every other country in the world. From 1967 to 1968, for example, Federally imposed jail terms climbed from an average of 39 months to 45 months. During one recent year in the U.S. no fewer than 15,000 offenders were sentenced to five years or more; in England the number was 150.

What's the solution to the sentencing muddle? Judges believe the answer rests not in making sentences equal but in making sentencing philosophies agree—which is no easy task.

Since 1958 most Federal judges and some state judges have been attending what are known as sentencing institutes, day-long sessions in which jurists talk about sentencing objectives and swap ideas. Sample cases are presented to the judges, each of whom gets identical pre-sentence reports on the hypothetical defendants. When this technique was used at one Federal institute, the recommended sentences in a mail fraud case ranged from 18 months in prison to 15 years.

Reaching a Consensus

State courts in New York and California and in three Federal districts have set up sentencing councils to tackle the problem more directly. The councils, which are really panels of judges, meet regularly to review every trial judge's recommended sentence before it's imposed. Council members study reports of probation officers who have examined the defendant's personal life. Then the trial judge defends his decision, and his associates present their recommendations. The trial judge isn't bound to accept the judgment of his peers, but in practice a compromise frequently results, representing the consensus of all the judges on the panel.

Judge Levin, the Federal judge in Michigan, pioneered the concept of the sentencing council. However, he, like a small but growing number of other jurists, feels that a more basic reform of sentencing is needed: Judges should be shorn of the sentencing task altogether.

"Sentencing is too awesome a responsibility. Many judges simply aren't qualified to handle it," Judge Levin asserts. "A judge should have only the authority to conduct the trial." Sentencing, he believes should be handled by a board of experts trained in criminology and empowered to investigate the background of each offender before passing sentence. The board would include probation and parole officers, social workers, psychologists and psychiatrists.

A few states are already moving toward limiting the sentencing power of judges. Not long ago California and Washington revised their laws so that judges imprison offenders only for an indeterminate sentence. The actual time served is determined by correctional authorities, up to the maximum set by law for the particular offense.

Similarly, a revision of Michigan's penal code currently under consideration sets maximum terms for all offenses at five years, 10 years or 20 years depending upon the dangerousness of the crime (maximum of life imprisonment is set for murderers). Parole authorities would determine the release date. Judges wouldn't have any say on the length of the sentence, and they couldn't set a minimum term, as they can now. A recent poll in Michigan found that a large majority of the state's judges favor the proposed revision.

Indeed, at least some judges have long been uneasy about the frightening responsibility of passing judgment on their fellow man. The eminent Federal jurist Learned Hand once observed in contemplating his sentencing duties: "Here I am an old man in a long nightgown making muffled noises at people who may be no worse than I am."

Michigan's eastern district. Judge Levin worries about the "increasing impact of an individual judge's background, personality and prejudices on the sentences he pronounces."

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"This occurs all too often, and each time we're in trouble," says Mr. Bennett. "Unjustified disparity so completely discourages a man that he won't participate in any rehabilitation program. He has no motivation, no goal—plus he's usually a discipline problem."

Drawing by Von Riegen
© 1964, New Yorker Magazine Inc.

"Don't worry about it. One day you're feeling down and you dish out 20 years to some poor devil. The next day you feel great and everybody gets a suspended sentence. It all evens out in the end."

What happened in Atlanta wasn't a fluke. In 1968, for example, violators of Federal forgery laws received an average jail term of 22 months in New York's southern district. But in central California the same offense drew an average sentence of 45 months, and in Kansas the average was 70 months. For narcotics offenses Federal court in Connecticut handed down sentences that averaged 44 months; in southern Texas the average term was 90 months.

Blacks are often the victims of wide disparity in punishment, critics say. One highly respected study of 2,600 rape cases in 11 Southern states found that convicted Negro rapists had a 50% chance of getting the death penalty for attacking white women compared with only a 14% chance if they raped a member of their own race.

Clothes Count

Disparity is wide even among judges sitting in the same court. A study early this year of misdemeanor cases in Detroit's Recorder's Court found that black defendants, even when represented by a lawyer, drew jail terms twice as often as whites. It also found that defendants—white or black—who appeared in court in work clothes stood a much greater chance of going to jail than did defendants wearing sports clothes or coats and ties. The charges of discrimination were hotly denied by one of the Recorder's Court judges, who said the study

Please Turn to Page 17, Column 1

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Crime

Urban Insurance Woes

Federal Pressure Is Mounting on Insurers To Make Crime Policies Available in Cities

By CAROL H. FALK
Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—Like many city folk these days, Rep. Barrett (D., Pa.) got some bad news from his insurance company a few weeks back.

The company said it was considering canceling the insurance policies on his Philadelphia home and office, though he has never filed a claim in 50 years. The only apparent reason is that both are located in a poor, working-class neighborhood not far from a public-housing project that was the scene of recent racial confrontations.

But unlike his neighbors, Rep. Barrett is in a position to tackle the problem. As the second-ranking Democrat on the House Banking Committee, the Philadelphia Congressman heads a subcommittee that, at the time the word came from his insurance company, just happened to be considering a bill that would put the Federal Government in the property-insurance business.

"I was very much for the bill all along," says Rep. Barrett. "Many places where I live have gone out of business." However, he says his personal experience was a good way to bring the extent of the problem home to his colleagues. The bill won subcommittee approval for inclusion in a broad package of housing legislation.

While the measure is still a long way from law, its growing popularity reflects mounting pressure on the insurance industry to do something about the availability of crime insurance in urban areas.

Amid dire predictions that the urban businessman can't survive much longer without burglary and theft insurance at prices he can afford, not only Congress but the Nixon Administration and some segments of the insurance industry itself have begun to talk about possible solutions. The hitch is that no one likes anyone else's idea. As things stand now:

—The industry is violently opposed to the bill under consideration by Congress, and the Nixon Administration regards it as an extreme solution.

—Federal Insurance Administrator George Bernstein has come up with a proposal, but many Congressmen and industry representatives don't think it will work.

—The insurance companies that sell most of the crime insurance prefer still another solution, but other insurance companies, the Federal Insurance Administrator and state insurance regulators don't like it.

In the meantime, urban residents and small businessmen have almost despaired of a way out of the problem, which assumed serious proportions following the urban riots of the late 1960s. In January 1968 a Presidential panel studying riot-affected areas of Boston, Cleveland, Detroit, Newark, Oakland and St. Louis reported that 40% of the business establishments and institutions responding were having significant burglary and theft-insurance problems.

And the situation continues to deteriorate. An official of the New York Insurance Brokers Council told Mr. Bernstein last May that "in most areas in New York City it is impossible to get" burglary and theft insurance.

Residents Also Affected

In a July report on crime insurance availability released by the Department of Housing and Urban Development, Mr. Bernstein added that while the storekeeper who can't remain in business without crime coverage may present the overriding social problem, the urban resident faces similar difficulties. "Few knowledgeable persons would claim," he said, "that a single working girl residing in an apartment in New York City can obtain burglary coverage, or that a middle-class family in Chicago can readily insure their personal property against theft."

In urging Congressional action on the problem, Sen. Tydings (D., Md.), who, along with Rep. Annunzio (D., Ill.) sponsored the bill Rep. Barrett's subcommittee approved, observes that it doesn't take an outright cancelation to make insurance unavailable to many people. He notes that some premiums have been raised 300% or more, "well out of the reach of the average city dweller."

The Insurance Administrator's study points up the rate increases. A survey found that in Los Angeles County a $3,000 burglary insurance policy that cost $113 in 1962 cost $236 by 1969. Over the same period, annual premiums soared to $1,028 from $395 for $15,000 burglary coverage on a furniture store in the District of Columbia.

In 1968 a Federally sponsored plan offered relief in the area of fire insurance. Legislation passed that year set up a Federal reinsurance program to be available to companies if they agreed to participate in state pooling arrangements (called Fair Access to Insurance Requirements or FAIR plans). The plans were set up to absorb the inner-city fire insurance business rejected by individual companies, but burglary and theft insurance weren't included and vandalism and malicious mischief are just being added.

One insurance man concedes that the industry, for practical purposes, isn't writing urban burglary and theft insurance at all. He describes the risks that insurers are willing to accept as about on a par with the traditional definition of a good fire insurance risk: "Pig iron under water."

And the insurance industry, which agrees on very little else, pleads helplessness, maintaining that it can't be expected to bear the entire cost of high crime losses in the inner city.

Rep. Annunzio and Sen. Tydings believe that the industry might be persuaded to bear a bit more of the burden, however, if the Federal Government entered the field not only as a regulator but as a potential competitor. The real goal of their measure, according to Congressional sources, is largely to pressure private industry into providing more crime insurance at reasonable prices.

The complex bill essentially would require the inclusion of crime insurance, as well as fire, in the companies' state insurance pools and would provide for direct Federal writing of all property insurance if excessive private or pool rates (defined as those equal to 175% of the minimum for the category) couldn't be justified by state regulators to the satisfaction of Federal authorities.

"The idea," explains a Capitol Hill source, "is to give the Federal Insurance Administrator some clout in dealing with the industry and with state regulatory bodies. He'll be able to say, 'If you don't straighten out, the Federal [illegible] insurance directly.'

property insurers in states with crime insurance problems to participate in pools through which applicants refused insurance by individual companies could obtain burglary and theft coverage. Mr. Bernstein calculates that, unlike the FAIR plans for fire insurance, crime insurance pools are certain to have losses so high that people couldn't afford the premiums. Therefore he suggests that states consider a subsidy paid for by a tax on premiums on all other property insurance sold in the state—a tax he estimates could range from 0.2% in a state like California to 2.2% in the District of Columbia.

A Hard Plan to Sell

The main criticism of this plan is that it's going to be hard to sell in state legislatures. Congressional critics and insurance people alike note that state legislators aren't going to be eager to tax their rural and suburban constituents to subsidize crime insurance for the central city.

A little legislative arm-twisting to make the Bernstein proposal work, however, is being considered by a subcommittee of the Senate Banking Committee, which isn't as warm to the Annunzio-Tydings bill as is its House counterpart. The Senate group has reached a "tentative policy decision" favoring a program for direct Federal writing of crime insurance to be implemented in those states that fail to deal with the problem by the end of the next legislative session. Committee sources say details of the plan and just what conditions would trigger Federal insurance in a given area will probably differ from those in the Annunzio-Tydings

Please Turn to Page 21, Column 3

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"The idea," explains a Capitol Hill source, "is to give the Federal Insurance Administrator some clout in dealing with the industry and with state regulatory bodies. He'll be able to say, 'If you don't straighten out, the Federal Government will write the insurance directly.' It would put the burden on the states to prove that the rates weren't unreasonable. If there's anything this industry doesn't want, it's a Federal yardstick."

A Noticeable Panic

Indeed, there was noticeable panic among industry lobbyists when the Annunzio-Tydings proposal was approved by Rep. Barrett's subcommittee. Although the bill has to surmount some opposition in the full committee, get through the House Rules Committee and a floor vote, as well as the House-Senate conference on the housing legislation, "The industry is still running around like ants after the initial shock," says one Congressional observer.

The industry is becoming aware of the proposal's considerable political appeal, especially for Congressmen facing tough reelection campaigns in urban areas.

"We're just a little more scared than we were before," a spokesman for the National Association of Independent Insurers concedes. Whether the industry is scared enough to offer a viable alternative is yet to be seen; "The Annunzio thing is strictly a lead pipe being bounced off our skulls to get us to agree on something," complains an American Insurance Association spokesman.

The American Mutual Insurance Alliance calls the bill "simplistic." A spokesman says, "This doesn't solve the problem of crime, though it does bring some indemnification back to the victim." Arguing that assurance of indemnification might actually encourage businessmen to neglect protective measures and localities to be lax about law enforcement, he asserts that "in a way, crime insurance is subsidizing crime."

Andre Maisonpierre, vice president of the alliance, argues that another beneficiary of what he calls "an artificial barrier on premium charges" would be the slum landlord.

The alliance has had a committee studying the crime insurance problem for two years, but hasn't come up with any action proposals other than to "eliminate crime." The group maintains that the matter "is a social problem with some insurance aspects—not an insurance problem."

The AIA says direct Federal writing of insurance is unrealistic and unnecessary. It contends that for the Government to become an insurance company, "thousands of people" would be needed to staff the operation.

Federal Insurance Administrator Bernstein, while showing some relish for the additional clout the proposed bill would give him, warns: "Once the Federal Government is in the insurance business, it will expand." Before he resorts to any Federal solution, he says, he wants to give the states and private enterprise a chance to solve the problem. And to persuade them to take this responsibility he's using the power that the Annunzio-Tydings proposal gives him by its very existence.

Mr. Bernstein is offering the industry a buffer against the dreaded Federal solution awaiting it on Capitol Hill. His alternative is a state plan proposed in the report that HUD released in July. This plan would require all

Pressure Is Mounting On Urban Availability Of Crime Insurance

Continued From Page 32

bill. The panel resumes its deliberations tomorrow.

At present, the only leverage Mr. Bernstein has to get states to accept his plan is a threat to withdraw the so-called Federal riot reinsurance covering fire insurance, if states with critical problems fail to take action by the end of the next full legislative session. "We have no direct power over the states," admits Mr. Bernstein. "They can thumb their noses at us."

The fact is that after several summers without major riot losses, many insurance companies are losing some of their enthusiasm for the Federal riot reinsurance fund, which has collected $64 million in premiums from the companies and paid out only $2.8 million in claims since 1968. "There's no incentive for the insurance companies to push for this plan," says one industry representative. "Their premiums are high enough anyway."

Because Mr. Bernstein's plan gives the states till the end of their next legislative session to comply—and a few state legislatures don't even meet until 1972—critics fear all it will do is delay a real solution another two years. But Mr. Bernstein insists that the key states will have made their decision by mid-1971.

Mr. Bernstein is talking tough at this point to line up support. "We're asking the states to put their money where their mouth is," he says. "Our philosophy is to leave insurance regulation with the states, but we're not about to let them botch it in the burglary field."

The only firm promise of support he has received thus far is from the National Association of Independent Insurers, which had proposed a plan identical to his except that the industry group, whose members sell a good deal of homeowner-type property insurance but very little specialized burglary and theft coverage, would apply the tax only to burglary and theft policies. Despite this difference, the NAII, whose chief goal is "to keep the Government out of this area as much as possible," says it is willing to lobby for Mr. Bernstein's plan in the state legislatures.

The American Insurance Association, the trade group whose members write over 80% of the crime insurance in the U.S., is less dedicated to a state solution and more skeptical about its prospects. The AIA says that though it's against the Government writing insurance directly, it would be willing to accept some Federal supervision in return for a Federal subsidy.

A spokesman explains that the association's preference is for early activation of a program under which the private insurers would act as fiscal intermediaries, receiving full reimbursement from the Government from all losses and expenses not covered by premiums collected.

The rest of the industry—larger than the AIA in terms of number of companies—as well as state regulators, tends to regard as heresy any such plan that would detract from the traditional state supervision of insurance companies.

And Mr. Bernstein makes clear that if there's to be a Federal solution he much prefers something like the Annunzio-Tydings plan to the AIA's suggestion of a Federal subsidy. He says that if the Federal Government is going to foot the bill he isn't about to let the industry run the program.

And if the industry doesn't line up fairly soon behind a solution that he considers more responsible than the AIA one (namely, his own proposal), Mr. Bernstein says he believes the Annunzio-Tydings bill might well pass Congress this session.

While he originally testified before the House subcommittee that the bill was "premature," now that his own plan is on the table he warns that "unless the state regulators and the industry take a firm position pretty quick . . . we will have to do a little rethinking." He stops short of promising outright Administration support for the pending bill but does say flatly that if the key states haven't produced workable crime insurance plans by mid-1971 "I'll be very quick to advise Congress we guessed wrong." He adds: "This Administration is committed to a solution. If that requires a Federal approach, we'll support it."

Admin of Justice

THE BROOKINGS Bulletin

Volume 7, Number 4: Summer-Fall 1970

Steps to Better Law Enforcement

BY 1968 CRIME had reached the top of the list of domestic problems troubling the American people. A Gallup poll taken in that year found that three persons in ten—four in ten for women and residents of large cities—admitted fear of going out alone at night in their own neighborhoods. Federal Bureau of Investigation statistics showed that the incidence of reported crime was increasing almost nine times as fast as the population.

In 1967, the President's Commission on Law Enforcement and Administration of Justice offered a series of recommendations for combating the rise in crime, most of which dealt with improving the quality of the police. The commission found that existing selection standards and levels of education are totally inadequate, and that police departments throughout the country face a growing recruitment problem. In *Upgrading the American Police,* Charles B. Saunders, Jr., examines the public policy issues raised by these recommendations, discusses ways to recruit more qualified personnel, outlines the kinds of education and training needed, and emphasizes the crucial role of the federal government.

Upgrading the American Police: Education and Training for Better Law Enforcement, by Charles B. Saunders, Jr. Published May 1970, 182 pages, $5.95 cloth.

Many Americans still hold the nineteenth-century view that "a strong back and a weak mind" are the major criteria for police recruitment. Yet a University of Chicago study conducted in 1968 concluded that, in addition to possessing courage, physical skill, and personal integrity, a police patrolman should be able to:

—endure long periods of monotony in routine patrol, yet react quickly in emergencies;

—act effectively in extremely divergent situations that may call for friendliness and persuasion, or firmness and force;

—be objective in dealing with special interest groups ranging from relatives of offenders to members of the press;

—take charge of situations without unduly alienating the participants or bystanders;

—tolerate stress in widely varying emergencies.

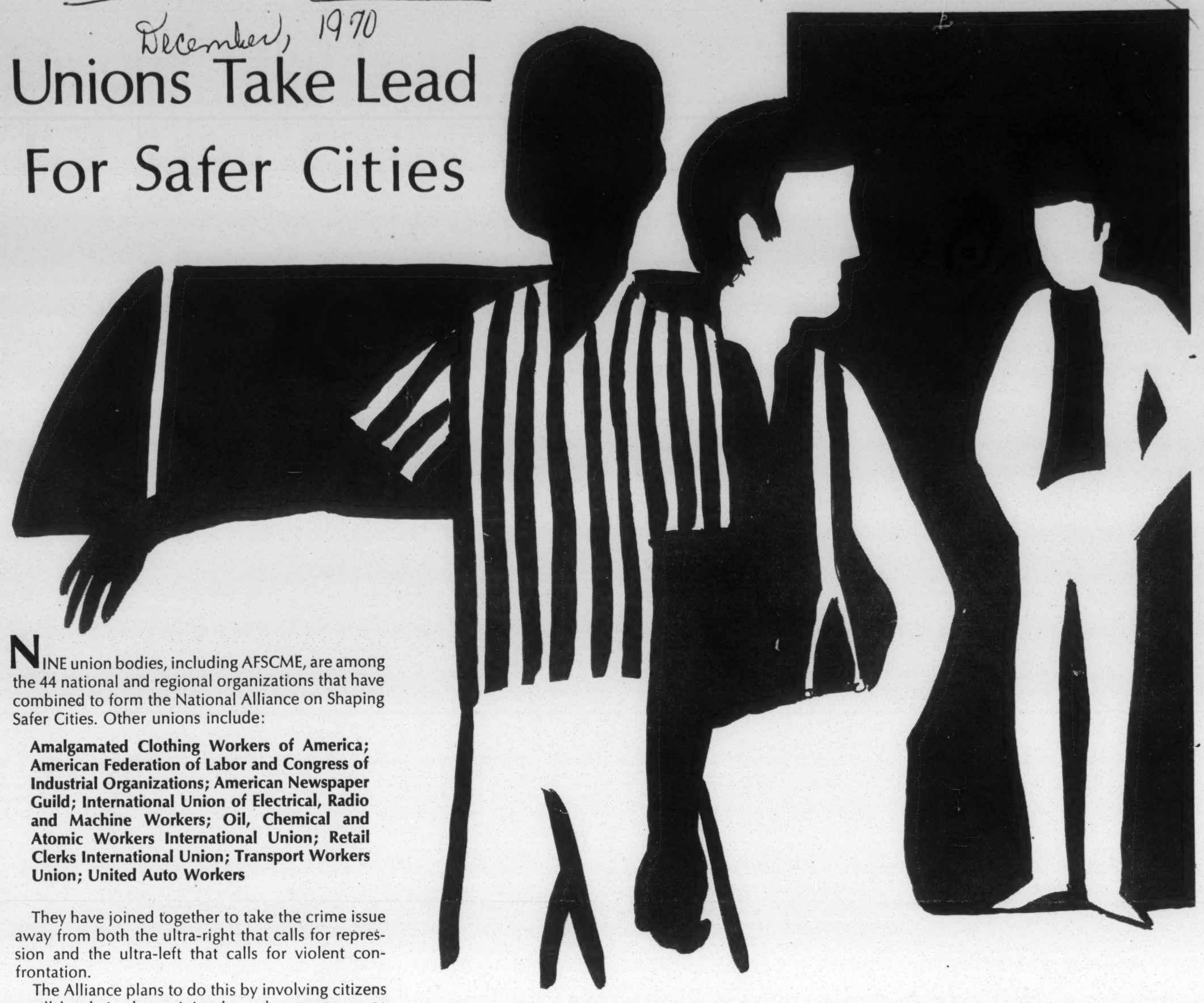
At present the nearly 40,000 separate governmental units employing full-time policemen do not have enough officers with these qualities. The problem begins with inadequate standards of selection and probation. No reliable indicators of aptitude for police work (other than for physical fitness) have yet been developed, and standards vary widely throughout the country. Few departments, for instance, have adequate procedures for weeding out applicants with serious personality defects; the small number of departments that give IQ tests have a significant percentage of personnel scoring below the recommended minimum of 110 to 120. Even with these inadequate standards, 77.7 percent of all police applicants are rejected.

Inadequacies persist after recruitment. Approximately 65 percent of all recruits eventually receive some inservice training, but many programs are ineffective and sporadic. Poor selection and training in turn create still other problems; because most police forces have long resisted lateral entry, commanding officers are drawn almost exclusively from the recruits of several decades ago. Paradoxically, those departments that have raised their standards have had an increase in the number of qualified applicants. The Baltimore police force, on the other hand, lowered the minimum educational requirement to the eighth grade level in 1952 and received a declining number of applications thereafter.

The Public Employee

December, 1970

Unions Take Lead For Safer Cities



NINE union bodies, including AFSCME, are among the 44 national and regional organizations that have combined to form the National Alliance on Shaping Safer Cities. Other unions include:

Amalgamated Clothing Workers of America; American Federation of Labor and Congress of Industrial Organizations; American Newspaper Guild; International Union of Electrical, Radio and Machine Workers; Oil, Chemical and Atomic Workers International Union; Retail Clerks International Union; Transport Workers Union; United Auto Workers

They have joined together to take the crime issue away from both the ultra-right that calls for repression and the ultra-left that calls for violent confrontation.

The Alliance plans to do this by involving citizens at all levels in determining how the streets are to be policed and how justice is to be meted out in humane, constructive ways.

ALLIANCE members realize that the present criminal justice system is a "non-system" that does not deter, does not detect, does not convict, does not correct, and will not improve without substantial public understanding and activity.

They believe that we need an informed citizenry demanding change based on knowledge rather than emotion, so that the many recommendations of experts, results of research and successes of pilot projects, can be introduced into the total system.

Since the Alliance was founded last May, there has been dramatic evidence of the need for activity against both growing crime and increasing polarization in our cities:

- **Crime due to drug abuse and addiction has risen alarmingly.**
- **The FBI reports that crime rose more than 10% last year and 148% in the decade.**
- **Many riots have occurred against intolerable prison conditions.**
- **U.S. Supreme Court Chief Justice Warren Burger has called for massive court reform to counteract the breakdown in speedy and fair justice.**
- **There have been renewed accusations of unequal law enforcement.**
- **There has been a wave of bombings by black and white terrorists plus repeated ambushes and sniping against police.**
- **Police raids against Black Panthers and other militants have increased.**
- **The public is beginning to panic, with legislators offering what some call unconstitutional and repressive legislation.**

THE National Alliance has been approached by the mass media for help in raising the level of public understanding about crime problems and is cooperating in the production of radio and TV programs. In addition, a number of local Alliances on Shaping Safer Cities have been formed, and requests for help in organizing new local Alliances have come in from many cities.

"Most Americans are deathly afraid of crime in the streets," said Harry Fleischman, director of the Alliance and race relations coordinator of the American Jewish Committee. "In massive numbers we have come to fear and distrust strangers in public places, partly for good reasons and partly for myths about crime."

EXISTING parts of the "criminal justice system" —police, courts and prisons—cannot themselves initiate broad changes, noted many Alliance members. Influence must be felt from outside, from the public as a whole.

A major emphasis of the Alliance will be to combine the mass base of many socially concerned organizations with the technical and professional expertise of criminal justice groups. Expanded contact between these groups is needed both to increase awareness on a large scale and to restore the confidence of the public in its law enforcement personnel.

AN example of the need for a better-informed public, noted Margery Gross, secretary-treasurer of the Alliance, was shown by the recent "riots" in New York City's prisons.

"Only after days of inmate disruptions," she said, "did the public begin to understand that (1) low-income *suspects*, who had not been convicted, had to serve in jail, waiting as long as two years for trial, and (2) men accused of such non-violent crimes as gambling, possession of marijuana, or loitering were a substantial cause of the overcrowding which led to violence."

Other members of the Alliance are:

A. Philip Randolph Institute, American Association of University Women, American Civil Liberties Union, American Jewish Committee, American Jewish Congress, Americans for Democratic Action, American Social Health Association, Anti-Defamation League of B'nai B'rith, B'nai B'rith, Camp Fire Girls, The Community Resources Institute, Jewish Labor Committee, The Lemberg Center for the Study of Violence, National Association for the Advancement of Colored People, National Association of Social Workers, Inc., National Catholic Conference for Interracial Justice, National Conference of Christians and Jews, National Council on Crime and Delinquency, National Council of Negro Women, National Council of Puerto Rican Volunteers, National Federation of Temple Sisterhoods, National Institute of Municipal Law Officers, National Urban League, Omega Psi Phi Fraternity, Scholarship, Education and Defense Fund for Racial Equality, Southern Regional Council, Southwest Council of La Raza, Union of American Hebrew Congregations, United Methodist Church Board of Christian Social Concerns, Ukrainian Institute of America, Dept. of Church & Society of the United Presbyterian Church, U.S.A., Vera Institute, Volunteers in Probation, Workers Defense League, and The Workmen's Circle.

Law Enf. Gen
1970 Bin

REPORT

of the

Police Community Relations Project Committee

JUNE 1970

DETROIT, MICHIGAN

Trainee Comments: "... most of all they cared ..."

Mountain Manpower's pilot pre-vocational project at the Craggy prison subsidiary at Asheville generated the following response from a participant who has since been granted conditional parole to take a job developed for him by MMI in the Asheville area.

* * *

"During the time I've been incarcerated I've not been granted the opportunity to speak freely. But while I've attended the Mountain Manpower (sessions) at Craggy, I've been able to speak freely, to express my ideas no matter how they are accepted. To give my honest opinion of what I think, and to stand to be corrected.

This program formed a closer friendship relation between each inmate in the class. We have established group unity . . . giving our ideas on how to apply for employment, and (we have been) given a better insight on our ideas. . .

To obtain employment was hard for me until this program. Now I feel within that I can apply for employment with any company and be successful in obtaining a job. . .

These men (the instruction team) has placed hope into lifes that were at one time hopeless. Together they have opened the door that society had closed. With their help, and just caring about what happens to a man after imprisonment has enlighten the lifes of inmates . . . These men will always be something special in my experience . . . Without these men I would have failed in applying for employment, but they have listened, corrected, offered opinion. But most of all they showed they were for real and that they honestly cared."

Training led him from Craggy Prison to a job with a future.

February, 1971

Vol. 3 No. 1

The North Carolina Manpower Development Corporation is a private, nonprofit organization with government and private funding. Its role is to create a model of state-wide manpower services in N. C. **Manpower Digest** is a monthly publication designed to discuss candidly the state's manpower problems and progress. Reader response is welcomed.

North Carolina Manpower Development Corporation
137 E. Rosemary Street - Post Office Box 1057
Chapel Hill, North Carolina 27514
Telephone: (919) 942-5796 or 5797

Chairman of the Board: Luther H. Hodges, Jr.
Executive Director: George B. Autry
Editor of the Digest: Bob Smith

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Action of Justice
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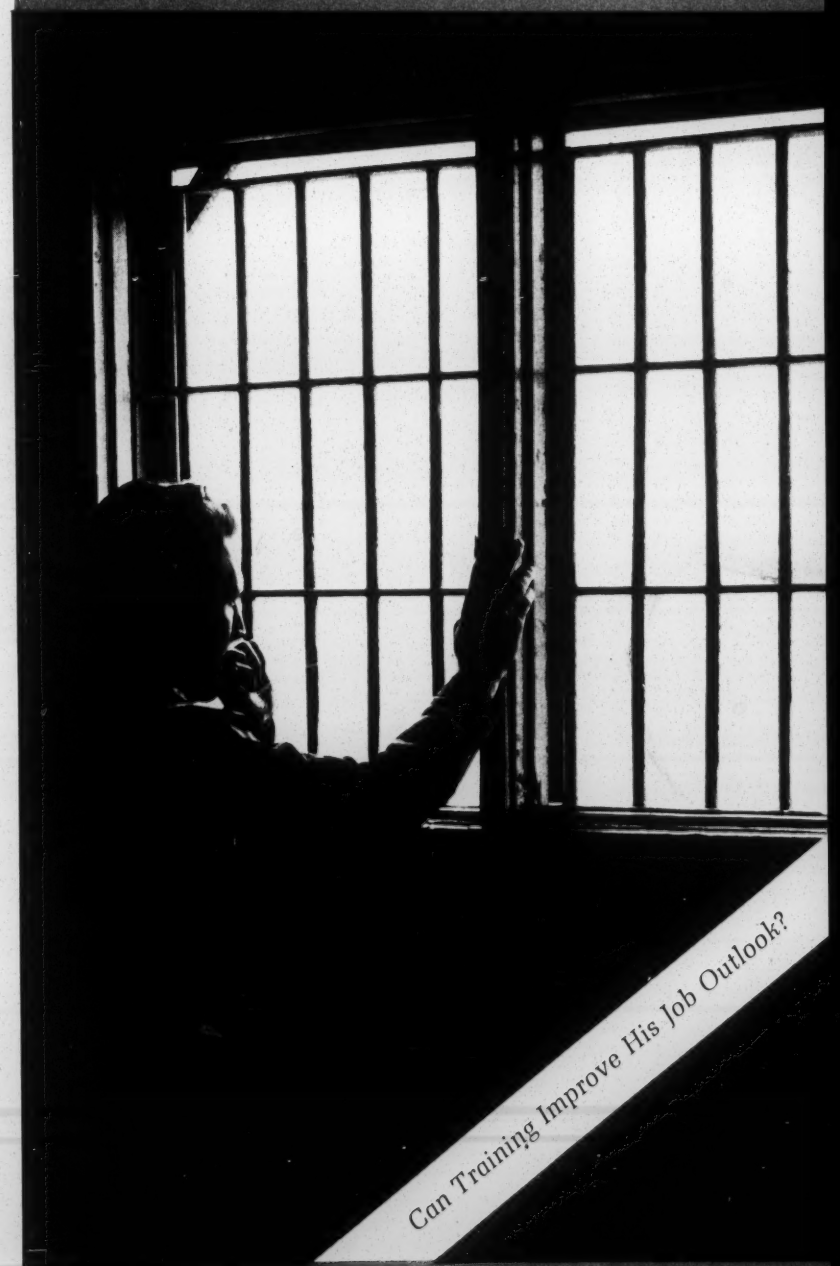
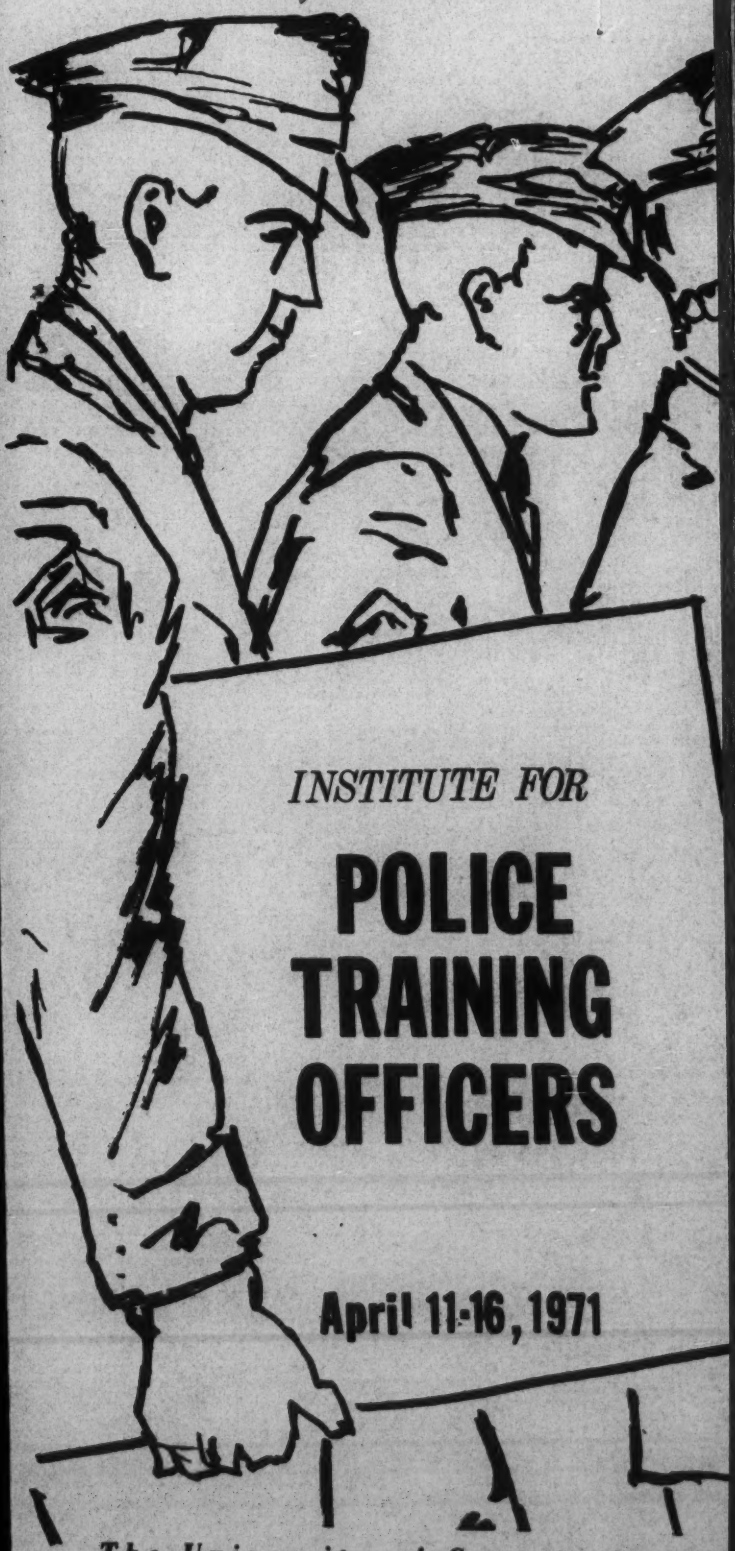
MANPOWER



DIGEST

Admin of Justice



INSTITUTE FOR

POLICE TRAINING OFFICERS

April 11-16, 1971

The University of Georgia Center for Continuing Education—Athens

General Information

The workshop is designed to . . .

. . . educate in the basic precepts of organizing, conducting, and evaluating a police training program.

. . . give special emphasis to innovative concepts in teaching techniques.

Presentations will be by noted authorities in the field of police training and will include a variety of problem-solving experiences emphasizing the reasons for and techniques of creating a more effective police training program.

Attendance will be limited to 50 participants, and applications will be processed in order of receipt. Reservation form is attached for your convenience.

Inquiries may be directed to:

Richard J. Korstad
Coordinator, Law Enforcement Training
University of Georgia
Center for Continuing Education
Athens, Georgia 30601

Please return to:
Richard J. Korstad
Law Enforcement Training
Center for Continuing Education — Room 231
The University of Georgia
Athens, Georgia 30601

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Includes tuition, meals beginning with Sunday evening dinner through Friday lunch, lodging (double occupancy) Sunday through Thursday nights, and all instructional costs and materials.

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VOL. CLXXVII NO. 96

Taking the Stand

Rising Courtroom Use Of Expert Witnesses Creates Controversy

Authorities Found Valuable, But Some Confuse Juries, Cloud Truth, Critics Say

Ethel Kennedy and the Horse

4/20/71

By JOHN E. COONEY
Staff Reporter of THE WALL STREET JOURNAL

PHILADELPHIA—Six years ago, Graeme Murdoch drove his car onto an exit from the Schuykill Expressway here, struck a metal pole and smashed into a chain link fence. Ever since, the young lawyer has been partially paralyzed. He will probably require medical care the rest of his life.

In a negligence suit involving the disaster, an independent traffic engineer named Leslie Williams last January testified that the abruptness of the exit and the placement of the metal pole near the side of the road were exceedingly dangerous. Mr. Williams charged about $2,000 for this testimony: $250 a day for four days in court, plus research and consulting work at $30 an hour.

But partly as a result of the Williams testimony, a jury in federal district court awarded the crippled lawyer $3 million in damages. (The city of Philadelphia, named negligent in the case, has appealed the verdict.)

$1,500 a Day to Talk

The use of expert witnesses like Mr. Williams is growing fast. "More and more people are relying on experts as part of the development of new courtroom tactics," says Edward German, chairman of the American Bar Association's committee on trial techniques. Several organizations that specialize in providing expert witnesses have sprung up around the country. They have found that testifying can be a lucrative business: fees commonly range from $150 to $1,500 a day.

But this type of testimony is generating a heated controversy. "Courts are too easy on expert witnesses," says William J. Curran, professor of legal medicine at Harvard Medical School. "There should be qualifications adopted. Under the present system, there is serious question whether we get the whole truth."

Medical testimony presents special problems. Physicians are generally wary about becoming witnesses. They dislike taking time from their practices. Like most witnesses, they also resent being cross-examined. And they are particularly reluctant to contradict another doctor's testimony. This creates what is known in the legal-medical world as the "conspiracy of silence."

"The result is that a small percentage of doctors represent the entire profession in court, and this percentage contains some of the worst doctors," asserts Dr. Jonas Robitscher, a Bryn Mawr, Pa., psychiatrist who is also a lawyer.

Experts on Bewitching

The use of doctors and other experts in court is far from new. Indeed, four centuries ago English courts called on physicians to help determine whether a defendant was "bewitched."

But technological advances and other factors have prompted courts to call on a wider range of experts than ever. By legal definition, an "expert" is almost anybody who can reasonably be expected to know more about a given subject than the average person. Thus a prosecuting attorney in Houston recently subpoenaed a burglar from the state penitentiary. The prosecutor wanted to prove that an apparent theft was in fact a cover-up for an insurance swindle. The burglar—clearly an expert in the field—testified that no real burglar worth his salt would have broken into the house in the manner the home-owner described. (The burglar's testimony helped the prosecutor win the case.)

Sometimes the expert witness can be a lawyer. A Philadelphia lawyer who had defended several youths accused of desecrating the flag was recently called to Florida to testify on what legally constitutes such desecration. The case involved a youth who had sewn a flag to the seat of his pants. (The youth got a 30-day sentence.)

Mrs. Kennedy Swipes a Horse

At first glance, the choice of witnesses may seem bizarre. Take the meteorologist who helped resolve a celebrated horse-swiping case involving Mrs. Ethel Kennedy, widow of Sen. Robert Kennedy. Several years ago, a neighbor accused Mrs. Kennedy of snitching his horse and sued for $30,000. Mrs. Kennedy contended that the horse-napping was the result of her concern for the animal. She asserted in Fairfax County, Va., Circuit Court that the horse had been treated cruelly and looked like a "bag of bones."

Seeking to prove his horse was no bag of bones, the neighbor promptly produced a photograph of a healthy horse; the photo allegedly was taken shortly before the horse heist. Then Mrs. Kennedy's attorneys called to the stand Leo Alpert, a meteorologist. He testified that the angles of shadows in the photo indicated the picture had been snapped two to four months before the theft. The defense concluded there was plenty of time in the interim for the horse's condition to have deteriorated. Mrs. Kennedy won the case.

With such varied demands, organizations that supply experts say their business is booming. Expertise Institute, Miami, says it had 1,000 cases to choose from last year, up from 750 a year earlier. But the unusual organization can handle only 250 cases annually, says Harold Tuthill, director. He keeps on tap 400 experts in 26 different areas ranging from neurology to metallurgy. Most have other full-time jobs but are available for assignments.

"Lawyers often call me up and say, 'Here's my problem. What kind of experts do I need?' " Mr. Tuthill says. To approach a problem from more than one angle, he frequently assigns teams of experts to a case. One such case involves a 17-year-old Philadelphia youth killed when his motorcycle rammed a telephone pole. "We checked every nut and bolt on the cycle and there was nothing wrong with it," says Mr. Tuthill. "Finally one of the engineers suggested the pole may have been too close to the shoulder of the road. The lawyer in the case thinks we may have come up with

Please Turn to Page 31, Column 3

Apr 20, 1971

Taking the Stand: Courtroom Use Of Experts Grows, Stirs Debate

Continued From First Page

something," he adds. Before pursuing this angle, the lawyer is currently waiting to see if the mother wants to press a lawsuit.

Among other groups in the expert business is Associated Appraisers of Earning Capacity, a Berkeley, Calif., group of economists who estimate the financial value of a man's life. Meteorologists of Weather Surveys, Inc., Pleasantville, N.Y., often appear in accident cases involving snow and ice. And Technical Advisory Services for Attorneys, Ft. Washington, Pa., consists of experts on where attorneys can find experts.

While expert witnesses are in strong demand, having one on the team doesn't always produce the results desired. In the recent court martial of Lt. William Calley Jr., Dr. Albert A. LaVerne, a New York psychiatrist and a defense witness, testified that the accused officer had suffered a "virtual paralysis of will" during the My Lai massacre and had been "acting as a robot."

During cross-examination of the testimony, the prosecution gave Dr. LaVerne permission to consult some notes. But the alleged notes turned out to be a synopsis of the Army Sanity Board's report on Lt. Calley. Dr. LaVerne later said he couldn't remember anything that Lt. Calley had told him earlier. The doctor said he himself was operating under extreme stress and fatigue. The military judge accepted a defense motion to excuse the physician and then questioned the truth of his testimony.

Dispute Among Experts

Some legal authorities also complain that expert witnesses may sometimes confuse juries. In the California murder trial of Sirhan Sirhan, four defense psychologists and psychiatrists said Sirhan was a paranoid schizophrenic who wasn't fully responsible for his actions when he shot Sen. Robert Kennedy. But prosecution psychiatrists and psychologists said he was.

Even the key defense witness, California psychiatrist Bernard L. Diamond, conceded the jury might have trouble believing his testimony that Sirhan killed Kennedy while in a self-induced hypnotic trance. Dr. Diamond admitted his testimony seemed an "absurd, preposterous story, unlikely and incredible." Psychiatrists testifying on both sides admitted that their conflicting statements must have sounded "incredible" to the jury. (In the end, Sirhan was convicted and sentenced to death. His case is currently being appealed.)

Critics attack other than psychiatrists. Joel H. Lichtenstein, vice president of Professional Insurance Co., a New York concern that handles medical malpractice insurance, contends many doctors hurt their profession by testifying in cases unrelated to their specialty. Some appear successively in lawsuits involving, say, obstetrics, orthopedics and anesthesiology, he reports.

Witness for Both Sides

Many also criticize the admittedly commercial instincts of some expert witnesses. Edward Heitzman, a Princeton, N.J., auto expert who says he receives $300 a day for taking the stand, often testifies on both sides of an issue and makes no bones about it. Indeed, he once appeared at a seminar of consumer advocates who were trying to build a case that Volkswagens weren't safe. Then he dismayed the group by appearing in court several weeks later testifying for Volkswagen in another case.

Mr. Heitzman says he doesn't see any conflict in such activities. If there is any lack of integrity in the use of expert witnesses, it is often the result of attorneys using such witnesses to bluff their way through a case, he says. Mr. Heitzman says lawyers handling auto injury cases often want him to testify that something was wrong with the car even though the fault was unrelated to the accident and the person's injuries. "They're looking for a theory—any theory—and they don't give a damn if it has to do with the accident," he says.

Other critics cite the high cost of getting expert testimony. "Here again—because they can't afford experts in court—the poor are discriminated against," says Lois Forer, a Philadelphia lawyer. A spokesman for the Sierra Club, a conservation group that operates on a slender budget, says: "We often decide not to go into suits because we can't afford expert testimony."

In Chesapeake

April 30, 1971

Brutality To Police

THE VIRGINIA OBSERVER, Friday, April 30, 19

The members of the Chesapeake City Council had better take a long and hard look into the leadership that directs its all-important Police Department.

If they do, they are going to find serious faults that must be immediately corrected.

The average member of the Chesapeake Police Department, as in most local law enforcement agencies are honest, dedicated and efficient. The problem among the police is not the courts or its rulings — but among the persons who direct the policemen.

In Chesapeake patrolmen cannot rise to the top pay scale even though the rules say that after a certain number of years service the pay will be $8,100 per year. No patrolman in Chesapeake earns that salary. . . even if he had been on the force for 100 years.

Instead of utilizing the full force of its manpower to fight crime — policemen are forced to spy on their fellow officers. A ridiculous case in point was the recent case where a policeman hid in the trunk of a squad car to see if the officer driving was going to ask a girl for a date while he was on duty.

Police duties are also wasted when officers are assigned as part-time cooks for faternal lodges during their regular working hours.

A former officer, who was "allowed to resign" — was recently rehired as "public safety officer" — with a salary 5 percent higher than the average policeman earns.

Chesapeake policemen have no civil service protection. They have been directed, and they will admit, to close in on Negro bootleg establishments (which should be closed) but are not overly encouraged to close in on gambling establishments operated by non-blacks (which should also be closed).

Add it all up; lack of longivity pay, no civil service protection, rewarding resigned incompetents with re-hiring at higher pay, switching of rules even in murder cases . . . . . and the sum total is brutality to the police by

BRUTALITY (Continued from Page 4)

police officials.

The Chesapeake City Council should immediately create a sub-committee among its members to correct and investigate these conditions.

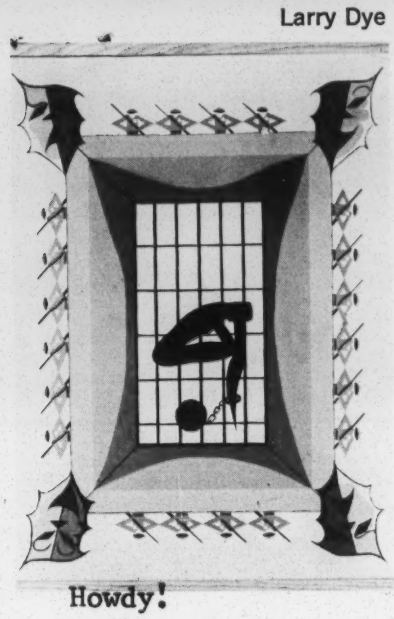
This committee should be armed with the right to take testimony under oath, thus preventing any chance of perjury. It should not be assisted, in any way, by appointed officials, but rater be conducted entirely by elected officials answerable to the people.

These are very serious charges made by this newspaper — and they must be immediately corrected.

This newspaper believes that the Chesapeake City Council will act.

TRAGIC COMEDY

Larry Dye



5-24-1971

GARY HILL
P.O. Box 81826
Lincoln, Nebraska 68501

(402) 434-6341 Business
432-4160 Home

Admin of Justice

Howdy!

Sorry for the informality of the mimeographed letter but even though there were relatively few of us at Wingspread, it was either go to this form or have my secretary rebel. Since she runs my office, I went to the mimeographed letter.

Many things were discussed at the Seminar and from the standpoint of resource people, we all had a chance to associate with some real 'heavies'.

My function in the area of crime and corrections is basically that of a referral service. I personally am an expert in nothing except who the experts are. So, if in your work within your local community, state or national organization, you need information on such diverse things as halfway houses, legislation, etc., all you need do is drop me a line.

I have taken the liberty of enclosing several back issues of CONtact, which is a monthly publication we put out covering various aspects of crime and corrections. If you would like to be on the mailing list, again all you need do is write. Of course, there is no charge.

At the same time, if you have information you think can be useful to me in referring others, please place me on your mailing list.

A final note, now that you are back in your local community (whether you are a resource in a big government agency or, like me, a small cog in a local area) please take the time to do a couple of things. One, check with your local, county and state officials to see if there is anything in your laws which prohibits an ex-felon from holding any particular type of state employment; because if the government will not accept a man in a certain position, then how can we expect other employers to. Also, you might check with the trade associations and organizations to see if they restrict a man who has once been convicted and sentenced for a crime.

Also, you might take a few minutes to visit youy local jail, whether you are in a very large or a very small city, and find out if a man placed in that jail is separated from employment so he usually loses his job and has to go through another type of program after serving his sentence in order to be gainfully employed again. Or, if you have misdemeanant work release. If you wish information on this type of program, please let me know.

Finally, especially in the larger cities, you might take a second to sit in on the small claims court to find out if the procedure is such that the people are losing furniture, houses and other property in such a manner as is both unfair and leaves little recourse which consequently turns them off to utilizing our courts or financial institutions as a way of getting ahead in business and in establishing personal financial security.

I've taken enough of your time. But if you're interested in sharing more information, please let me know.

I look forward to having the privilege of serving you in some capacity and am deeply grateful I was able to share a few days with you at Wingspread.

Very sincerely yours,

Gary Hill, Consultant
Crime and Corrections
United States Jaycees

GH/ch

Admi of Justice

LAWYERS' COMMITTEE
FOR CIVIL RIGHTS UNDER LAW

233 NORTH FARISH STREET • JACKSON, MISSISSIPPI 39201 • PHONE 948-5400

June 21, 1971

John O. Boone, Director
Southern Regional Council
5 Forsyth Street, N.W.
Atlanta 3, Georgia

Re: Mississippi State Penitentiary

Dear Mr. Boone:

I have read with interest your Special Report on the Delta Prisons.

I am enclosing a copy of a Complaint filed against the Mississippi State Penitentiary. As you can see we are attacking the whole system.

I am hoping that your investigation may have turned up information we could use in preparing this lawsuit. If you think that you have such information and are willing to share it with us, please contact me at your earliest convenience.

Thanking you for your cooperation, I remain,

Very truly yours,

Roy S. Haber
Staff Counsel

sg

Via Air Mail

IN THE UNITED STATES DISTRICT COURT FOR THE

NORTHERN DISTRICT OF MISSISSIPPI

GREENVILLE DIVISION

FILED

FEB 8 - 1971

---X

NAZARETH GATES, WILLIE LEE HOLMES, HAL ZACHARY, and MATHEW WITTERS, individually and on behalf of all others similarly situated,

Plaintiffs

-vs-

CIVIL ACTION No. GC 71-16-K

THOMAS D. COOK, SUPERINTENDENT of the MISSISSIPPI STATE PENITENTIARY, also known as PARCHMAN PRISON, MISSISSIPPI PENITENTIARY BOARD, J.D. DENOVILLE, ST. TURNER ARANT, SEBE DALE, JR. ROBERT D. ROBINSON and H. L. ROBERTS, members of the MISSISSIPPI STATE PENITENTIARY BOARD, and JOHN BELL WILLIAMS, GOVERNOR of the STATE OF MISSISSIPPI, and their Successors,

Defendants

---X

COMPLAINT

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C.A. §§ 1331, 1343 and 2201. This action arises under the Eighth and Thirteenth Amendments and the due process and equal protection clauses of the Fourteenth Amendment of the United States Constitution and is a suit in equity authorized by 42 U.S.C.A. § 1981, § 1983, § 1985, and § 1994 for a preliminary and permanent injunction to redress the deprivations, under color of state statute, ordinance, regulation, custom or usage, of rights, privileges and immunities secured under the aforementioned Amendments to the Constitution and statutes of the United States. This is also a proceeding for a declaratory judgment as to plaintiffs' rights to be free from such deprivation by the defendants acting under color of state law.

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2. This is an action for a preliminary and permanent injunction and for a declaratory judgment (1) in the First Cause of Action, to enjoin the defendants from maintaining the Parchman Prison in its present condition which constitutes cruel and inhuman treatment of the members of the plaintiff class; and (2) as to the Second Cause of Action, to enjoin the defendants from depriving Negro members of this sub-class of their equal right to protection of the laws by virtue of the segregated facilities at the Prison, all in violation of the rights of the plaintiffs as set forth in ¶"(1)" above.

AS AND FOR A FIRST CAUSE OF ACTION

3. The plaintiffs, Nazareth Gates, Willie Lee Holmes, Hal Zachary and Mathew Winters are all inmates of the Mississippi State Penitentiary System located at Parchman Prison, Parchman, Mississippi. Each plaintiff brings this action on his own behalf and on behalf of all inmates of Parchman Prison and on behalf of all persons who in the future will be committed to the custody of the defendants for incarceration at Parchman and subject to the jurisdiction of the defendants, pursuant to Rule 23 of the Federal Rules of Civil Procedure. The prerequisites of Rule 23 (a), (b)(1), and (b)(2) are satisfied. The members of the class (present inmates and future inmates of Parchman Prison) are so numerous as to make it impracticable to bring them all before this Court. There are questions of law and fact common to all members of the class. The claims of the plaintiffs are typical of the claims of the class, and the relief sought is common to all members of the class. Plaintiffs will fairly and adequately represent and protect the interests of the class. The prosecution of separate actions by individual members of the class would create a risk of:

(a) inconsistent or varying adjudications with respect to individual members of the class which would establish incompatable standards of conduct for the party opposing the class, or

(b) adjudications with respect to individual members of the class which would as a practical matter be dispositive of the interests of the other members not parties to the adjudications or substantially impair or impede their ability to protect their interests. Defendants have acted and refused to act on grounds generally applicable to the class, thereby making appropriate final injunctive relief and corresponding declaratory relief with respect to the class as a whole.

4. Defendant Thomas D. Cook is the Superintendent of the Parchman Prison and as such is charged with the exclusive management and control of the prison system of the State of Mississippi pursuant to §§7930 of the Mississippi Code Annotated of 1942, Supp., 1964 (hereinafter, Miss. Code). He is sued in his individual and official capacity.

The Mississippi State Penitentiary Board is charged with the overall policy making authority for the prison system of the State of Mississippi pursuant to §§ 7951 Miss. Code.

Defendants J. Q. DeNoville, Thomas D. Cook, Turner Arant, Sebe Dale, Jr., Robert D. Robinson and H. L. Roberts, Sr. are all duly appointed members of the Penitentiary Board and as such their duties and responsibilities are set forth in §§7951 Miss. Code. They are sued in their individual and official capacities.

Defendant John Bell Williams is the Governor and chief executive of the State of Mississippi and Ex-Officio Member of the Penitentiary Board of the State of Mississippi. Pursuant to §7942 of the Miss. Code., defendant Williams as Governor of the State is responsible for appointing the members of the Penitentiary Board. He is sued in his individual and official capacity.

FACTS

5. Defendants are charged with the duty to the inmates that they "shall have humane treatment, and be given opportunity, encouragement and training in the matter of reformation." (§§7922 Mississippi Code)

Defendant's have failed and refused to provide humane treatment to the inmates of Parchman Prison thereby depriving them of their rights, privileges and immunities set forth in Paragraph (1) above as follows:

(a) Practically all of the camps wherein the inmates are housed are in dire need of plastering and painting. They are infested with maggots, roaches and other insects and rats.

(b) The sanitary conditions throughout the prison are in deplorable condition. The water is dirty, rusty and often contains insects.

(c) The beds and mattress are substandard and often infested with insects.

(d) There are insufficient and unsanitary bathroom facilities in the camps to supply the number of inmates housed therein. Windows in the bathrooms are broken out.

(e) The sewage disposal system is inadequate and dangerous to the health and safety of the inmates. In some cases, human and food wastes are discharged directly into open ditches adjacent or near to the camps with no chemical treatment. Such areas become infested with flys and mosquitoes in the summer months, breeding germs and disease. In one case, such a condition exists only several feet from the kitchen causing a direct or potential health hazard to the food served to the inmates.

(f) Solid wastes are dumped in open pits breeding rats.

(g) Electric wires are exposed in areas of the camps which create a fire hazard and cause electric shock to the inmates

(h) The camps have inadequate heating facilities to keep the inmates warm in the winter months.

(i) In the event of a fire at one of the camps, the only method of fighting it presently is to use one outmoded fire wagon and hand methods that are inadequate to protect the inmates from injury or death. Several buildings have already burned down.

(j) The inmates are inadequately fed, especially for the arduous work they are required to perform.

(k) The hospital building is in a terrible state of disrepair. There is plaster falling off of the walls. The heating is inadequate. The water system is inadequate. Many of the machines used in the hospital are outdated and break down.

(l) Although there is authorization for a full time doctor, the prison has not had one on any permanent basis. In sum, the medical and psychiatric facilities at the prison are inadequate to serve the most basic needs of the inmates.

(m) The cemetaries at the prison are in deplorable condition. In many instances there are no headstones or markers to indicate the deceased's name.

(n) The defendants have failed to provide the inmates with adequate clothing to protect them from the weather.

6. Most of the inmates are required to work in the fields. Said work is without compensation. The inmates are often made to work until they drop from fatigue and or heat or sun stroke. They are required to work as long as 15 hours per day in the summer, sometimes seven days each week. The inmates are not provided adequate clothing to work in the fields and are forced to work in the cold and rain without proper clothing.

7. The barracks type of housing fails to protect inmates from assaults, murder, rape and homosexual activities

by other inmates. Despite their knowledge of these conditions, the defendants have failed and refused to protect the inmates from these acts of violence. The inmates are in constant fear for their safety and lives as a result of this disregard for their most basic welfare and protection.

(8) Defendants have employed a system of guarding the prisoners by other prisoners known as the "trusty" system (§§7095 Mississippi Code). This system has deprived the inmates of their rights as set forth in Paragraph (1) as follows:

(a) Many of the trusty inmates have been convicted of the worst crimes against man including rape and murder.

(b) These same trusties have almost complete life and death control over the rest of the inmates at the prison.

(c) Most of these trusties are armed with rifles and shotguns.

(d) The trusties have inflicted the most barbaric punishment on other inmates including forceable rape, murder and torture, beating inmates with such weapons as rubber hoses, axe-handles, chaines and straps. These sadistic beatings have taken place with the knowledge and consent of the defendants herein and onoccassion in front of the "free world" security guards.

(e) These same trusties are assigned the responsibility of keeping prison records with regard to prison good time and disciplinary information.

(f) These trusties have used their power to extort money from other prisoners and in concert with "free world" guards, share in the profits and force said inmates to commit crimes within the prison and subject them to unnatural sexual acts.

(g) Access to medical and dental facilities by the inmates is through these trusties who have little or no regard

for the welfare of their fellow inmates.

(h) These trusties have almost complete authority over the Maximum Security unit of the prison and treat the inmates in Maximum Security in the most barbaric and sadistic way. The aforementioned activity occurs with the knowledge and consent of the defendent.

(9) There is a complete lack of security facilities at the prison to protect prisoners from each other and from the trusties. There is an insufficient number of guards to guard and protect the inmates. Those presently employed at the prison are not properly trained in prison security and treat the inmates in a cruel and inhuman manner, subjecting them to the same treatment as described in paragraph (8).

(10) Mail sent by inmates to their attorneys and family and friends is censored and or opened by prison officials with the knowledge and consent of the defendants.

(11) Inmates are not informed as to the standards of conduct that is required of them which may subject them to corporal punishment and in most instances the subjective determination of the trusties prevail and is taken at face value by the prison officials. Inmates are subjected to solitary confinement in Maximum Security Unit as punishment without due process and at the hands of the trusties as set forth in Paragraph (8) above.

(12) There are virtually no recreational facilities for the prisoners when they are not in the fields or locked in the camps.

(13) Despite the obligation to give "opportunity, encourgement and training in the matter of reformation (§ 7921 Miss. Code) the defendants have not provided the inmates with basic adult education program. Although there is a Vocational Training program, only a small percentage of the inmates are afforded an opportunity for the same. The defendants have failed and refused to provide the inmates with a basic educational training program.

(14) The aforementioned actions of the defendants have deprived the members of the plaintiff class of rights, privileges and immunities secured to them by the Eighth and Thirteenth Amendments and the due process and equal protection clauses of the Fourteenth Amendment of the Constitution of the United States and the laws and statutes of the United States as set forth more fully in paragraph (1) above.

SECOND CAUSE OF ACTION

(15) Plaintiffs repeat and reallege each and every allegation contained in paragraphs marked "(1)", "(3)", and "(4)" herein on behalf of all Negro and future Negro inmates of the Parchman State Penitentiary with the same force and effect as if more fully set forth herein.

(16) The plaintiffs herein are all members of the Negro race and as a sub-class seek to represent all Negro and future Negro inmates subject to the jurisdiction of the defendants, pursuant to Rule 23 of the Federal Rules of Civil Procedure. The prerequisites of Rule 23 (a), (b)(1), and (b)(2) are satisfied. The members of the sub-class (present and future Negro inmates of Parchman Prison) are so numerous as to make it impracticable to bring them all before this court. There are questions of law and fact common to all members of the class. The claims of the plaintiffs are typical of the claims of the class and the relief sought is common to all members of the class. Plaintiffs will fairly and adequately represent and protect the interest of the class. The prosecution of separate actions by individual members of the class would create a risk of:

(a) inconsistent or varying adjudications with respect to individual members of the class which would establish incompatable standards of conduct for the party opposing the class, or

(b) adjudications with respect to individual members of the class which would as a practical matter be dispositive of the interests of the other members not parties to the adjudications or substantially impair or impede their ability to protect their interests. Defendants have acted and refused to act on grounds generally applicable to the class, thereby making appropriate final injunctive relief and corresponding declaratory

relief with respect to the class as a whole.

(17) Plaintiff Negro members of the sub-class have been deprived of their rights and privileges as set forth in paragraph (1) above in that they have been classified, designated, segregated and discriminated against on the basis of their race as follows:

(a) All of the camps at the prison are segregated by race, save one.

(b) The dining facilities are segregated by race.

(c) The prison hospital has a White and Negro ward for the inmate patients.

(d) Negro inmates are required to do the most arduous tasks at the prison. White inmates are given easier tasks.

(e) The food provided in the Negro camps is inferior to that which is provided in the white camps.

(f) All of the conditions described in paragraph (5) above, exists in a more deplorable condition in the Negro camps then in the white camps.

(g) Negro prisoners are subjected to barbaric treatment at the hands of "free world" white guards.

(18) Plaintiffs are informed and believe that the Negro population of the State is 36.8 per cent, the defendant, Governor John Bell Williams has failed and refused to appoint any Negro to the Penitentiary Board; no members of the Negro race are employed as office and clerical workers, or as "free world" guards, and in any other positions at the Parchman Prison.

(19) That the defendants willful classification and segregation and discrimination as set forth in paragraphs (17) and (18) was and is purposeful and systematic and based solely upon race in violation of the rights and privileges contained in the Due Process and Equal Protection clauses of the Fourteenth Amendment to the Constitution of the United States and the statutes and laws of the United States as set more fully forth in ¶(1) above.

WHEREFORE, plaintiffs pray that the court enter judgment granting plaintiffs;

(1) As to the First Cause of Action:

(a) a declaratory judgment that defendants' Acts complained of herein violate plaintiffs' rights secured by the Eight and Thirteenth Amendments and due process and equal protection clauses of the Fourteenth Amendment of the Constitution of the United States and is cruel and inhuman treatment.

(b) A preliminary and permanent injunction enjoining the defendants from maintaining or retaining custody of the plaintiffs under the conditions set forth in this complaint.

(c) A preliminary and permanent injunction ordering the defendants to;

(i) immediately discontinue the use of the "trusty" guard system,

(ii) to immediately provide adequate medical care, housing, clothing, food, heat hospital facilities and other services presently denied to the plaintiffs as set forth more fully herein,

(iii) to provide plaintiffs with programs of rehabilitation and education,

(iv) to hire trained guards to protect the safety and well being of the plaintiffs.

(v) to refrain from requiring plaintiffs to work without pay in a manner that constitutes cruel and inhumane treatment,

(vi) to provide adequate procedural safeguards in the imposition of discipline,

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(vii) to refrain from inflicting any corporal punishment on the plaintiffs, and

(viii) to otherwise refrain from inflicting cruel and inhumane treatment on the plaintiffs.

(2) As to the Second Cause of Action:

(a) A preliminary and permanent injunction enjoining the defendants from maintaining and retaining Negro plaintiffs in their custody until such time as the defendants integrate the facilities at the Parchman Prison.

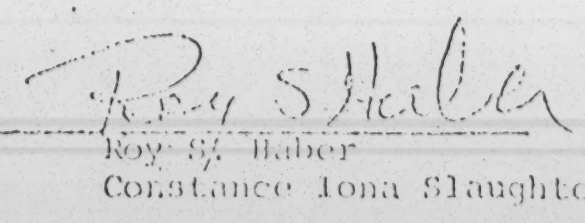
(b) A preliminary and permanent injunction ordering the defendants to integrate the facilities at the Parchman prison: ordering the defendants to hire Negro employees and guards; and order the defendant John Bell Williams to submit a plan to provide Negro representation on the State Penitentiary Board, and to otherwise refrain from discriminating against plaintiffs solely because of their race.

(3) Allow plaintiffs their costs in this action, including a reasonable attorneys' fee;

(4) Grant to plaintiffs such other and further relief as to the court seems just and proper.

Dated: February 8, 1971

Respectfully submitted,



Roy S. Haber
Constance Iona Slaughter

Lawyers' Committee For Civil
Rights Under Law
233 N. Parish Street
Jackson, Mississippi 39201

LET'S BE human

by HARRY FLEISCHMAN

Actors of Justice

NATIONAL LABOR SERVICE
AMERICAN JEWISH COMMITTEE
INSTITUTE OF HUMAN RELATIONS
165 EAST 56 STREET
NEW YORK, N. Y. 10022 • PLAZA 1-4000

JUNE-JULY 1971

REVENGE OR RESULTS?

In the United States, drug addiction is treated as a crime, not a sickness. We spend millions of dollars in law enforcement money to put addicts in prison. Does this process work? We now have from 100,000 to 250,000 heroin addicts in the country. A study by the Small Business Chamber of Commerce calculates that thefts in Harlem alone to support the narcotic habit have reached $1.8 billion. Police in Washington, D.C. blame up to 80 per cent of serious property crime on drug users. In city after city, large numbers of innocent people are terrorized while nine out of ten American drug addicts are without any medical help at all.

What's more, the addict released from jail remains an addict and has to steal again to feed his habit. He is not reformed; on the contrary, he becomes embittered and further criminalized. In addition, as many police chiefs and judges have pointed out, banning dope drives up its price, creates a rich market for underworld operators, and provides an important source of police corruption.

Whenever Britain's experience in providing drugs for addicts is mentioned, newspapers and government officials say "it's a big flop." Well, is it? An important article by Edgar May, "Drugs Without Crime," in the July 1971 Harper's Magazine, challenges that claim. He insists that Britain's program has been a tremendous success.

A few years ago, heroin addiction was increasing so rapidly in Britain that drug-control officials felt it had reached epidemic proportions, even though they had less than 3,000 heroin addicts. In 1967 the system was changed so that addicts had to go to specially licensed clinics, rather than physicians' offices. In 1969, May reveals, there were only 99 additional heroin and other narcotic addicts, and the 1970 report is expected to show a drop -- the first since their heroin crisis began in the Sixties.

The most significant contrast with America's drug problem is that in England there is no direct connection between addiction and crime. How come? One clue is that 100 heroin tablets in Britain (available only to clinic-confirmed addicts) cost $2.16 while on New York's streets, the retail price can run to $1,000 or more. Very few of America's addicts can earn - without stealing - the $300 to $500 a week it takes to support a full-blown heroin habit. As Edgar May points out, "In England, their equivalents have a luxurious option; they don't have to steal. Even if the British National Health Service insisted that they dig into their own pockets, it would make little difference. Pure British-made heroin costs the government no more than a daily tin of aspirin for each addict."

-more-

One and two column mats available upon request. The column may be used with or without a credit line

The British have not been able to eliminate drug addiction, but some doctors are cautiously optimistic. "Much to my surprise," said Dr. Margaret Tripp, who directs an East London clinic, "they're not dead and they are better. Their drug use has gone down, they work longer, and they are less of a nuisance to everybody."

At three London centers, the number of addicts holding jobs almost doubled over two years. In yet another survey, there were fewer arrests a year after addicts were with a clinic than before.

But Britain is different from the United States. Is its experience relevant to us? Canada treats drug abuse much the same as the United States. A study of 25 Canadian addicts who moved to Britain in the early Sixties disclosed some startling findings:

*In Canada, they spent a combined total of 141 addicted years in prison; in England, two years and 5 months.

*At home, they committed 88 robberies and burglaries; in Britain, 8.

*In Canada, only one claimed to have worked steadily while addicted. In England, 13 worked full-time and four part-time.

"For once we could work and live like humans," the addicts said repeatedly. "There is no need to steal."

Wouldn't America be better off if our drug addicts "had no need to steal?" Wouldn't we feel safer on the streets? What do you think?

REAL COMPASSION

I believe people should help themselves. If you give poor people food, they will eat for a few days. But if you give us tools, we will produce our own food.

-- Fannie Lou Hamer, black anti-poverty leader in Miss.

SENSE AND NONSENSE

When I got a book inscribed "To Harry Fleischman from a different Fleishman," naturally my curiosity was aroused. But when the paperback, Sense and Nonsense - A Study in Human Communication, by Alfred Fleishman (International Society for General Semantics, San Francisco, $2.00) turned out to be witty and meaningful, I enjoyed it thoroughly.

"Everybody wants to feel like somebody," is the message of Mr. Fleishman, a public relations leader in St. Louis. Whenever we make someone feel disliked or unimportant, communication breaks down and trouble starts. The book, addressed primarily to management leaders, will also be of great value to unionists, educators and the clergy -- in fact, to all people concerned with perserving human dignity.

When tension between police and blacks in St. Louis was growing rapidly, Mr. Fleishman's firm equipped police with wireless microphones "so we could find out how [blacks] were being approached."

Police would stop cars with obvious violations like burned-out headlights or tail lights, gruffly order occupants out of the cars and demand to see drivers' licenses, with little or no explanation.

Fleishman convinced the police it would be better to say something like "Would you mind stepping back here, your light seems to be burned out." The police were amazed at the difference. Instead of getting angry, the drivers would respond with "I didn't realize my light was out. I'll get that fixed right away."

Best of all, people were communicating again and avoiding confrontation.

BOOZE OR BIAS?

The Madison, Wisconsin Moose Lodge is faced with an embarrassing choice -- giving up booze or bias. The City Council has denied the Moose renewal of a liquor license because of their "whites-only" membership clause, which violated an ordinance denying liquor-selling permits to discriminatory groups. The lodge earlier told the Council that enforcement of the ordinance might cause the lodge to go under financially.

FRIENDSHIP

During World War II, when the Nazis ordered all Jews to wear the Star of David, the King of Denmark walked the streets proudly wearing a Jewish star. Thousands of Danes risked their lives trying to smuggle most of their Jewish citizens out of Nazi-occupied Denmark.

The Danish-Jewish friendship continues today, reports Lou Lerman. At the dedication of the Denmark Comprehensive High School in Jerusalem, 130 Danish school children were present along with Danish educators. They gave the school a grand piano and a collection of modern Danish paintings. The Danish children then went on a tour of Israel with Israeli school children.

ARE YOU SAFE FROM BURGLARS?

The best gift for the man who has everything, runs an old joke, is a burglar alarm. Now a new book, Are You Safe From Burglars?, by Robert Barnes, prisoner 33321 (Doubleday, $5.95) tells us that the alarm will help, but not enough.

Barnes, who burglarized 3,000 homes, businesses and apartments in 20 years, stole millions of dollars in cash, furs, jewels and other valuables. Yet, since he started stealing at the age of eleven, he has spent all but a few years of his life in reformatories, jails and federal penitentiaries. His story was first serialized in the Washington Evening Star.

His book reveals the common errors that people commit which invite burglars to their homes. While stressing that no system is "burglar-proof" against determined professionals, he offers hints of the basic precautions which will discourage burglars from picking on you.

Among his suggestions:

1. Use dead-bolt locks, which cannot be sprung, jimmied or celluloided by a burglar.

2. Use key chain door locks on exterior doors, instead of easily-opened old-style chain and catch, which can be opened with a small piece of wire.

3. Keep apartments well-lit, with a radio playing.

4. Attach a $4 battery-operated alarm to your front door. Burglars hate noise that points to them.

5. Push for strong prosecution of "fences," who make burglary profitable.

For business firms, Barnes recommends many devices, including an Ultrasonic Burglar Alarm, which saturates rooms with crisscross patterns of high frequency sound waves, inaudible to the human ear. Since the presence of anyone sets off a silent alarm, this system even protects against burglars who hide inside business establishments.

Barnes, when he gets out of prison this time, hopes to make a new career on the other side of the law - entering the protective-device system business. His book is a good commercial for him.

MUTUAL

Race is used to divide the have-nots. The name of the game, as I see it now, is that we must convince whites that ours is a mutual affliction. A man with a broken foot should have sympathy for a man with a broken leg.

-- Maynard H. Jackson, black Vice-Mayor of Atlanta, Georgia

INFORMATION I NEVER KNEW I NEEDED TO KNOW

My friend Paul Steiner is always coming up with incidental bits of trivia that I find fascinating. For instance:

*Parrotfish thrive on a diet of dogfood.

*The homemaker of the 1890's used as much energy to do the laundry each week as it would take to climb a ladder over six miles high, or to swim 20 miles, or to play five quarters of football.

*The City Council of Stamford, England ruled that no Chinese restaurant may put up a sign until the Council has a certified translation of what the sign says.

*Wyoming law permits state residents to shoot both bull and cow elk. Out-of-state hunters may shoot only bull elk.

*J. Paul Getty, supposedly the world's richest man, refuses to accept any postage-due mail.

FACES IN THE WINDOWS

A West German apartment house was changed dramatically last winter when a photographer displayed larger-than-life photos of each tenant in each person's window. The process of doing the project transformed the cold impersonal nature of life in a modern apartment building into warm, friendly relations.

SHAPING SAFER CITIES

* "Operation Identification" in Southern California is helping to reduce burglaries. It is also increasing chances of returning stolen property to its owners, say the Los Angeles Times. Eight years ago, Monterey Park Police Chief Everett F. Holladay persuaded volunteers to tour neighborhoods and etch all items of value with the owner's driver's license number. Homes were identified with window stickers front and rear reading: "We have joined Operation Identification. All items of value on the premises have been marked for ready identification by law enforcement agencies." In the last seven years, Holladay claims that only six of the 4,000 participating households have been burglarized -- and in only two cases were identified items stolen. In the remaining 6,000 homes in Monterey Park there have been nearly 1,000 burglaries in the last three years alone.

* Score one for women's lib. Women are gaining rapidly, reports the New York Times, in at least one "traditional area of male supremacy -- crime." FBI figures show that from 1960 to 1969, male arrests for major crimes rose 61.3 per cent, while arrests of women ballooned 156.2 per cent. Crimes by women gained most heavily in larceny, embezzlement and narcotics violations; but women are also committing more robberies and assaults. Sheriff Peter Pitchess of Los Angeles County suggests one reason for this phenomenon: "As women emerge from their traditional roles as housewife and mother, entering the political and business fields previously dominated by males, there is no reason to believe that women will not also approach equality with men in the criminal activity field."

ALONG FREEDOM ROAD

* Hollywood Musicians Union Local 47 deposited $100,000 in four minority banks and savings and loan institutions in the Los Angeles area.

* Mrs. Claire Harvey of Jackson, Miss., is the first black president of Church Women United, a multi-denominational ecumenical group with millions of members.

* A bio-physics major at the University of Alabama in Birmingham, Bracie Watson, is the first black to be elected president of the Student Government at the predominantly-white College of General Studies.

* The Lummi Indians of Bellingham, Washington are starting a new business of "farming" the sea. It's called "aquaculture". They will mass produce oysters, rear salt-water trout, and harvest seaweed. The seaweed, which is actually algae, reports the National Business League, is used to produce carrageen, a substance used in ice cream, toothpaste and many other products.

* Four million young people throughout the world hiked up to thirty miles each to raise funds for domestic and international anti-poverty programs and to focus attention on the world's poor. Sponsored by adults from a few cents to $10.00 a mile, the hikers raised millions of dollars for day-care centers, the Farm Workers Union and a host of self-help programs.

* Minority hiring on U.S. daily papers is being boosted by the Newspaper Guild, which has called for a "minority skills bank" as a central recruitment source for newspapers. Thus far, only 2.3 per cent of reporters on 573 newspapers reporting for 1969 were members of minority groups. Of the 104,557 white-collar workers involved, 4.4 per cent were minorities. But blacks in white-collar jobs on Washington's three daily papers rose from 8.2 per cent

in 1966 to 14.9 per cent in 1969.

* The Teamsters and Cement Mason unions and management in San Diego joined together to build an Indian Cultural Center at the Pala Reservation in northern San Diego County. Several volunteers are descendants of various Indian tribes. The center will be used for classes in the Cupa dialect and heritage, and contains a library, museum and classrooms.

* More than $500,000 has been invested in an integrated bank in Hempstead, Long Island - a bank primarily controlled by blacks. The Vanguard National Bank will operate a training center for small businessmen, to insure that when it lends money to start small businesses, the recipients will have the know-how needed to succeed.

* Twenty-five black and brown workers are in the second year of a unique program to prepare minority group union members for active leadership in their unions and communities. The program at the University of California in Berkeley graduated 23 unionists in its first year. Two graduates already have full-time union jobs, three have been nominated for union office and five are labor council delegates. The course includes six months of full-time study of skills and knowledge needed by labor leaders to confront issues and problems arising out of the urban crisis, plus a six-month follow up and evaluation period.

* A Federal Judge ruled in May that a construction union in New York City, Wood Wire and Metal Lathers Local 46, must give compensatory pay to Negroes deprived of work because of the union's alleged discriminatory practices.

IRGP, LPKE, LBH, LPK, ETH, NEG-A, NEG-B, PC-R
71-650-83

E WALL STREET JOURNAL, FRIDAY, AUGUST 20, 1971

In Philadelphia, a Legal Ethics Fuss

By THOMAS J. BRAY

"The legal profession cannot claim total exemption from the historic proposition that those having a monopoly on the performance of vital public services should be strictly regulated to protect the public interest. A profession ought to be able to regulate itself, but the truth is that the legal profession has not done so. I suggest that the time may come when, if the legal profession wants to avoid regulation from outside, it must surely regulate itself from within."

—Remarks by Chief Justice Warren E. Burger to the American Bar Association, New York, July 5, 1971.

In many parts of the country, the term "Philadelphia lawyer" has come to mean a legal nitpicker or a devious practitioner. Go-go New York and Washington lawyers tend to view the Philadelphia lawyer as little more than a stuffy blueblood who spends most of his time churning out bank trust agreements and attending horse shows.

Not surprisingly, Philadelphia lawyers tend to take a different view of things. They say the term "Philadelphia lawyer" dates back to 1735, when printer Peter Zenger was hauled into a New York court on sedition charges. To a man, New York attorneys refused to take Zenger's unpopular case. Into the breach stepped Philadelphia attorney Andrew Hamilton, who won acquittal for Zenger in a landmark decision on freedom of the press. It became a watchword that in order to win a tough courtroom battle, one had to hire a Philadelphia lawyer.

The Philadelphia version of the legend has been badly battered in recent months, however. Ostensibly at issue has been a lengthy inside report charging widespread corruption and unethical solicitation by more than 100 plaintiff's attorneys who specialize in representing accident victims. The lawyers allegedly stood at the center of an ambulance chasing ring of doctors, car tow services, police, union shop stewards and others who conspired to wring fat fees and insurance settlements from the miseries, real or pretended, of hundreds of individuals involved in auto or industrial accidents.

In some cases, the accident victims were still in a state of shock when approached by a lawyer dangling the prospect of huge claims before their eyes—in return for an equally huge fee, of course. It's known that in one case, for example, the mother of a nine-year-old boy run over by a car was enticed into signing a contingency fee agreement with a lawyer only hours later, while her son lay near death in the hospital. "Now you know that she didn't go downtown looking for a lawyer with her son in that kind of shape," says a source close to the investigation.

As shocking as the contents of the report were, however, many onlookers found the story behind the report even more alarming. For although the ambulance chasing probe was commissioned by the Bar Association itself nearly a year and a half ago, it has been charged that influential elements within the Bar succeeded in cutting short the investiga- [illegible] stifling the im- that the ambulance chasing probe was launched well before no-fault insurance was an issue in Pennsylvania and accuse plaintiff's lawyers of casting a red herring into the controversy. Some establishment lawyers also hint darkly that certain plaintiff's lawyers tried to pressure the Bar leadership into dropping the probe in return for votes at the upcoming Bar Association election. "Special interests have wormed their way into control of the Bar," says one influential old-line lawyer.

One man who takes a plague-on-all-their-houses attitude is Morton S. Jaffe, a former Army lawyer who retired to Philadelphia after 26 years of military service, during which time he was both a prosecutor and a judge. In late 1969, Col. Jaffe was approached by Bar Association officials to undertake a proposed investigation into unethical solicitation practices. Col. Jaffee initially refused—"I said I didn't know Philadelphia well enough to handle it," he recalls. But when the Bar officials came around a second time in early 1970, saying nobody else would take the job, he agreed.

For a year, Col. Jaffe and a team of investigators gumshoed around Philadelphia acquainting themselves with the seamier side of the legal profession. As the evidence mounted, however, so did the pressure. Col. Jaffe and Bar Association officials were subjected to a barrage of harassing phone calls, and there were even hints that Col. Jaffe might be harmed physically, though rumors to that effect were never substantiated.

A number of plaintiff's lawyers, it should be noted, felt they had some legitimate grievances. Col. Jaffe and his investigators were brow-beating witnesses and spreading innuendoes about individuals they suspected of wrongdoing, it was said. Others asserted that the probe was a witch-hunt with anti-Semitic overtones. Why limit the investigation to lawyers of personal injury victims? Why not go after the establishment lawyers who wangle trust business from their banker friends over cocktails at the Union League, or the bankruptcy specialists who "arrange" to be hired by creditor committees?

Col. Jaffe and Bar Association officials agree that unethical practices probably exist throughout the Bar, but they say they concentrated on the plaintiff's lawyers because it was there that solicitation appeared most prevalent and clear-cut. Also, they say, no anti-Semitism was intended; it merely happens that a large portion of plaintiff's lawyers in Philadelphia are Jewish. And most insiders agree that though there may still be remnants of bigotry among the Philadelphia Bar's movers and shakers, it's scarcely noticeable on professional matters. Indeed, many of the Bar's leaders in recent years have been Jewish.

The charges of improper investigative practices were harder to deal with. Although Col. Jaffe insists that he told his investigators "never to press" witnesses and potential defendants, even those who backed the probe felt there was need for tighter control of the Jaffe group. Accordingly, Col. Jaffe, who had been promised a free hand, found himself

If the Bar leadership thought it was buying peace, however, it was mistaken. Col. Jaffe, a tenacious, slightly square type who flies the American flag in his front yard and likes to lecture visitors about "an ethical hiatus" in U.S. culture, had become deeply absorbed in his project and wasn't about to let himself become an instrument of Bar politics. Two months later, he publicly announced his resignation—and the Bar Association quickly found itself besieged on all sides for an explanation.

The pressure mounted when it was learned that Col. Jaffe had submitted a two-part report on his findings; one section was a statistical abstract clearly designed for general consumption. As a matter of principle, the Committee of Censors refused to release either section of the report, but copies began circulating among the District Attorney and various state and federal officials, and it wasn't long before a copy had been leaked to the Evening Bulletin. In a carefully worded series of articles, the Bulletin identified many of the firms and lawyers allegedly involved in unethical solicitation. Most of those named either denied the charges or declined comment.

Both before and after publication of the report, plaintiff's lawyers and others tried to cast doubt on its reliability. Some called it "unlawyerlike" for its rhetoric. Others noted errors of fact and conclusion in the text. Even today, Bar Association leaders tend to pooh-pooh the whole affair as blown out of proportion; of the 128 individuals mentioned in the report, Col. Jaffe had hard evidence on only a few, insiders say.

Even if the allegations are true—the redoubtable Col. Jaffe admits only to the rhetoric, saying "I wanted to sound the alarm"—many onlookers wonder if they don't miss the point. If there were inaccuracies or shortcomings in the report, why wasn't a new investigator hired and the probe continued until more definite conclusions could be drawn? It wasn't for lack of money: Although the cost of the Jaffe investigation was more than double the usual budget of the Committee of Censors, the Bar Association still has uncommitted reserves of about $300,000.

And it wasn't for lack of ammunition. Ambulance chasing is a growing problem in most major cities, and it's known that insurance investigators have launched their own probe in Philadelphia. Yesterday the Philadelphia courts indicated that they plan to take the matter out of the Bar's hands and start their own investigation, although many onlookers worry that many of the cases have already gone "cold."

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'We've Got to Clean House'

The results of the investigation began leaking out last February but its full scope didn't become generally known until several weeks ago, when the Philadelphia Evening Bulletin obtained and published large segments of the report. The impact was substantial: There were calls for a grand jury investigation and a blue-ribbon probe by the courts, as well as sharp criticism from within the Bar itself. "We've got to clean house," charges one old-line attorney who was named to head up an ad hoc committee pushing for a renewed probe of unethical solicitation.

Philadelphia Bar Association officials vehemently deny a white-wash. They note that the Bar's disciplinary process traditionally operates in strict secrecy to safeguard individual rights. Court dockets indicate that at least two individuals named in the report already are facing possible disbarment or suspension, and the report itself was long ago turned over to the District Attorney for possible criminal action.

But a number of observers — including many lawyers—wonder if the Philadelphia legal establishment has been less than zealous in rooting out unethical conduct. Of the 600 or so cases that have come before the Bar's Committee of Censors in the last three years, only two have resulted in disbarment. Five attorneys have been censured or suspended by the courts, and the committee itself has handed out formal reprimands or censures in only 11 cases.

It may be, of course, that lawyers are simply more ethical than most people. It's certainly a fact that the legal profession has been more conscientious in policing itself than most other groups; most local and state Bar Associations have set up elaborate machinery for that purpose, and the American Bar Association recently promulgated a revised and updated code of ethics that runs 52 pages of small type. But many critics wonder if the Philadelphia ambulance chasing probe and its aftermath don't suggest that even more attention needs to be devoted to the age-old conundrum of "who shall watch the watchdog?"

At the very least, the Philadelphia tiff provides an intriguing glimpse into Bar Association politics. The Bar isn't simply an agglomeration of do-gooders and joiners. It consists of groups of lawyers—big firm types, individual practitioners, plaintiff's attorneys, trial lawyers, attorneys who represent insurance companies, and so on—all with their own special interests and all intent on keeping leadership of the Bar in safe hands. With its power to screen judges, enforce the canons and speak authoritatively on political issues, the Bar is a prestigious and powerful organization.

The ambulance chasing report comes at a time when the Pennsylvania Legislature is considering a form of no-fault insurance. Most plaintiff's lawyers who specialize in personal injury cases adamantly oppose no-fault insurance, and many believe the Bar Association probe is a deliberate effort to embarrass them.

A telephone call to one self-appointed spokesman for the plaintiff's lawyers elicits, in quick order, a heated attack on the press, a charge that "a bunch of goddam fools are trying to ruin us," and a warning that the interviewer can't use the quote for attribution, "because you don't even know for sure who you're talking to." Besides, he adds suspiciously, "how do I know you aren't an agent for some insurance company?"

Big firm lawyers, on the other hand, note brow-beating witnesses and spreading innuendoes about individuals they suspected of wrongdoing, it was said. Others asserted that the probe was a witch-hunt with anti-Semitic overtones. Why limit the investigation to lawyers of personal injury victims? Why not go after the establishment lawyers who wangle trust business from their banker friends over cocktails at the Union League, or the bankruptcy specialists who "arrange" to be hired by creditor committees?

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The charges of improper investigative practices were harder to deal with. Although Col. Jaffe insists that he told his investigators "never to press" witnesses and potential defendants, even those who backed the probe felt there was need for tighter control of the Jaffe group. Accordingly, Col. Jaffe, who had been promised a free hand, found himself having to develop elaborate survey forms, periodic reports and a procedure for notifying lawyers in advance that they were under investigation. "I nearly quit over this," says Col. Jaffe.

Col. Jaffe's Request

The affair began to build to a head in December, nine months after the investigation had begun. The original assignment had been for a one-year investigation with a budget of $118,000. Col. Jaffe now requested that the probe be continued indefinitely. "We had turned up a voluminous amount of corruption," he says, "but unethical solicitation is a matter of conspiracy, and it's tough to pin down that sort of thing."

The Committee of Censors was reported mildly favorable to extending the investigation, but as the proposal made the rounds of the Bar it met with increasing opposition. One plaintiff's attorney even threatened to call a special meeting of the general membership to air his protest. Chastened by the prospect of an all-out fight that would inevitably become a public spectacle, the leadership decided on a face-saving maneuver: Col. Jaffe would be given $8,000 and three months to wind up his investigation.

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But men can always find good reasons to sidestep unpleasant problems. A volunteer disciplinary system—Philadelphia's censors serve without pay and spend up to 20 hours a week wrestling with ethical problems—is easily overwhelmed when the stakes are big. And bringing in an outsider like Col. Jaffe to handle an investigation is fine in theory, but an outsider is also easier to disavow when the political chips start flying.

Some observers suggest that a statewide disciplinary system that has been proposed for Pennsylvania may provide the answers to some of these problems. The Philadelphia Bar's leadership is also known to be considering the addition of "public" figures to key committees. Then there is Col. Jaffe's assessment: "If the legal profession wants to discipline itself, it's got to be willing to pay the price. Passing the buck to the state or federal level won't solve anything. Lawyers are supposed to be the exemplars of an ordered society, and if they won't behave themselves, then how can you expect the poor black ghetto kid to do so?"

Mr. Bray is chief of the Journal's Philadelphia bureau.

LETS BE human

by HARRY FLEISCHMAN

Admin of Justice

NATIONAL LABOR SERVICE
AMERICAN JEWISH COMMITTEE
INSTITUTE OF HUMAN RELATIONS
165 EAST 56 STREET
NEW YORK, N. Y. 10022 • PLAZA 1-4000

AUGUST-SEPTEMBER 1971

"GOOD OLD DAYS" ARE HERE AGAIN!

George Daitsman of the Teamsters Labor Institute in Miami sent me this ad from an employment agency which appeared in a recent issue of Business Week:

> "Times Couldn't Be Better...
> ... for getting the most likeable, capable, qualified people for any job openings you may have. Secretarial. Clerical. Sales. Administrative. Technical. You name it."

OUTWHITING THE WHITES

When George Kobayashi got his first job 19 years ago, he lasted one day. "When the owner found out I was Japanese," he recalls, "he fired me. So I started my own business. I outwhited the whites, and five years later I was so successful they asked me to come back."

Kobayashi refused the offer and now runs a thriving appliance store, Koby's, in Gardena, Calif. and lives comfortably in a new split-level house with his wife and three children.

Kobayashi's story, says Newsweek, is typical of America's 600,000 Japanese-Americans. More than 15 per cent of Japanese-Americans now hold professional jobs. In Los Angeles County, school authorities report that children of Japanese descent outstrip all others in IQ. In addition, these children can expect to live six to seven years longer than a white child, ten to eleven years longer than a black. While arrest rates for white, black and American Indian adults have soared during the last three decades, the already low rate for Japanese-Americans has decreased sharply. And this despite the infamous World War II detention camps for Japanese-Americans!

VICTIMLESS CRIME

The San Francisco Committee on Crime reports that more than 50 per cent of the arrests in the city in 1969 were for nonviolent crimes without victims or crimes whose "victims" were consenting adults. The total included 16,500 arrests for drunkenness, 4,900 for drug offenses in which no other charges were involved, 3,200 for prostitution, and 593 for private gambling. More than 40 per cent of the inmates in county jail, said the committee, are there as a result of drunk arrests, and nearly a third of the jury trial demands in municipal court are in prostitution cases.

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One and two column mats available upon request. The column may be used with or without a credit line

As the New Republic points out, "Imprisonment rarely cures alcoholics or drug addicts and never turns prostitutes into virgins or homosexuals into heterosexuals. It often has opposite effects, exposing basically decent citizens to hard-core criminals, fostering homosexuality, and making prostitutes more indebted to pimps for legal defense. Enforcement of laws against self-indulgence also tends to fall most heavily upon young people and minority groups, adding to the growing distrust of police."

Some cities, such as St. Louis and New York, have begun decriminalizing alcoholism and are promoting detoxification and rehabilitation; and off-beat sexual activities between consenting adults are tolerated in a growing number of cities.

Urging the police to put a priority on controlling crimes of violence, the San Francisco Crime Committee warned that "if a breakdown in the system of law enforcement is to be avoided, it is necessary to stop loading upon the system of criminal law tasks that are unnecessary or for which it is not well fitted."

WHY WE NEED FULL EMPLOYMENT

Gunnar Myrdal, the Swedish economist who wrote The American Dilemma, a historic study of U.S. race problems, quotes an old Swedish proverb to explain why we won't solve the race problem without full employment:

"When the feed-box is empty, the horses will bite each other."

ALONG FREEDOM ROAD

* A study of New York City's school paraprofessionals has found "overwhelming evidence" of its success. Some 85 per cent of elementary school pupils said they enjoyed coming to school now more than before they had paraprofessionals in class. And 75 per cent of junior high students said the schools were doing a better teaching job since the aides came.

* A two-week teachers' strike in San Francisco blocked cutbacks in a number of educational programs and won a 9 per cent wage and fringe benefit increase for paraprofessionals.

* North Carolina is the first Southern state to have an equal employment opportunity law. The law, passed unanimously both in the House and Senate, requires state departments, agencies, county and municipal governments to consider job applicants without regard to religion, race or sex. It was introduced by Rep. Joy J. Johnson, one of two nonwhites in the 1971 general assembly.

* The American Federation of Musicians yanked the charter of black Musicians' Local 274 in Philadelphia when the local refused to merge with a nearby all-white local. Members of the black local voted against the merger while the all-white local voted in favor of the move. Federal Judge Edward R. Becker upheld the charter revocation, pointing out that Philadelphia was the last of 37 cities to end musicians' dual unionism based on race. The merger plan provided that the two locals would enjoy equal rights, benefits and privileges in the merged union.

-more-

* Attracted by a new, relatively low-cost housing development, whites are now integrating Clinton Township, Mount Clemens, Mich., whose population has been predominantly non-white for decades. Whites began moving into the development in March, drawn in by monthly rents ranging from $108 to $251, and rent supplements, available for 20 per cent of the units, with rates as low as $33 for single persons earning $5,100 or less annually. Of the 88 families moved in by July, some 65 are white. Plans call for a total of 200 units in the project.

* Wichita, Kansas passed a new fair housing ordinance, banning discrimination in the sale, rental, advertising, and financing of housing accomodations on the basis of "race, color, religion, sex, national origin or ancestry." Violators are subject to a fine up to $500, six months in jail -- or both.

* The American Foundation for Negro Affairs has launched a program to prepare more Negroes to pass the highly competitive tests for admission to schools of medicine, dentistry and other health sciences. Previous attempts by some black groups, which simply demanded that medical schools admit more black students, foundered when many of those admitted flunked out. Medical schools in New York City are now enrolling more black students than before (there were only 7 out of a total of 894 in 1968 while there are currently 86 out of a total of 916 in 1971) but are giving them intensive summer programs to prepare them for medical school.

* The "New Careers" program in New York, developing job advancement systems for poor people, is a big success. The city's Manpower and Career Development Agency reports that training costs had been recouped in two or three years by tax yields and welfare savings. A study of 236 former relief recipients trained as case aides, who started work at $4,800 a year and now earn up to $6,000, showed the combined tax contributions and relief savings of the group was $443,000 a year.

RAGA AND ROCK

The sad plight of millions of East Pakistan refugees linked the two cultures of raga and rock. Ravi Shanker, the sitar player who comes from the Bengal area, joined George Harrison and Ringo Starr of the Beatles and the folk composer, Bob Dylan, in two benefit concerts before more than 40,000 people at New York's Madison Square Garden. The concerts raised $250,000 for refugee relief. Unlike the screeching Beatles fans of old, said the New York Times, the overflow crowds were "quiet and almost reverent" during the musical numbers themselves.

SCHOOL DISCIPLINE

"If you can't reach a child through his mind, I don't know how in the hell we're gonna reach him through his behind."

-- Edith Holsinger, Dayton, Ohio teachers

OPENING THE GATES

* Two West Coast states -- California and Washington -- are successfully using a new approach to corrections reform: paying counties to keep offenders out of state institutions. The program, reports the Criminal Justice

Newsletter, is not only more effective than traditional approaches, it saves money. The California plan started five years ago with projections of how many offenders each county would commit to state institutions without a subsidy program. A county receives up to $4,000 for each person not committed who would have been according to the projection. The money must go for special supervision programs: low caseloads, treatment programs; individual, placement and family counseling; special foster homes; use of volunteers and staff training. The voluntary program has enrolled 46 of the state's 58 counties. There have been 10,806 fewer commitments than projections indicated without the program, and the subsidies have risen from $1.6 million the first year to $15 million.

* A Charlotte, N. C. man convicted of manslaughter has had his 12-year prison sentence suspended on condition that he pay a $13,000, five-year fine -- payable to the family of his stabbing victim, Herschel Liner, in $50 a week instalments. Judge William McLean of Mecklenburg Superior Court in Charlotte imposed this sentence upon Daniel Green because the victim's father was disabled and unable to work.

* Many states have continued the trend toward easing penalties for possessing marijuana while shifting the emphasis to curbing the pusher. Nebraska softened its statute, the nation's most liberal, which called for a mandatory seven-day jail sentence for possession of less than a pound of marijuana, to permit a judge to set a fine of as little as $1 for the same violation. Minnesota, West Virginia, Colorado, Missouri, Florida, South Carolina, North Dakota, Nevada, Indiana and Oklahoma reclassified first-time possession from a felony to the less-serious misdemeanor category or eased the penalties in other ways.

NEW YORK, NEW YORK

Friend Paul Steiner has come up with a batch of unusual New York rules and regulations which intrigued me. Here they are:

* Box-office personnel, including the treasurer, need no longer wear hippie gear and beads, but they must never wear a white shirt or a necktie, even a wide mod tie. -- Management, New York's Biltmore Theater, where the rock-musical, HAIR, is playing.

* The use of photos of matrimonial applicants will be discontinued because experience has shown that when actually introduced, most men and women do not recognize each other from such photos. -- Irving Field, New York marriage broker.

* Hearses will be used to transport the cast of the gangster film, "The Gang That Couldn't Shoot Straight," to location sites around New York City. -- MGM film producers.

INDIAN REAR ADMIRAL

At a social affair in London, a British Member of Parliament, Dr. Maurice Miller, walked over to a Rear Admiral in the Indian Navy to express his

admiration for Prime Minister Mrs. Indira Gandhi. He added, "I would, however, admire her even more if she discarded her fear of Moslem reaction and established diplomatic relations with Israel." The Rear Admiral, Benjamin Samson, then surprised his new acquaintance with the announcement that his son was even then studying architecture at the Technion in Haifa, that his brother settled in Israel in 1948, and that "I myself am very proud to be a Jew." A career sailor, the 55-year-old seaman was in England to inspect ships now being built at Clyde for the Indian Navy. He told the Jewish Chronicle that the fact that he was Jewish had never proved an obstacle to his career.

CRIME QUIZ #2

So many of you have asked for more crime quiz material that here we go with a new batch of questions:

1. During 1960-68, 475 policemen were killed. Guns were the murder weapon in _____ per cent of the cases.

   a) 10
   b) 54
   c) 78
   d) 96

2. Most people in jail today are convicted criminals

   a) true
   b) false

3. If an ex-convict gets a job in a supermarket in New York state, he must be fired if the store sells beer.

   a) true
   b) false

4. Arrests for public drunkenness account for _____per cent of commitments to jail in the nation.

   a) 10
   b) 33
   c) 50

5. In the United States, drug addicts steal over $2 billion a year to feed their habits, while in Britain drug addicts receive drugs without having to steal.

   a) true
   b) false

6. Murders by gun are responsible for more deaths than drunken driving.

   a) true
   b) false

ANSWERS TO CRIME QUIZ

1. (d) 96

2. (b) false The jail census by the Law Enforcement Assistance Administration of the Department of Justice revealed that 52 per cent of the 426,000 inmates in jails across the nation have not been convicted of any crime. Four out of five are eligible for bail but cannot raise the cash.

3. (a) true An ex-convict in New York State cannot work on any premises where alcohol is sold.

4. (b) 33

5. (a) true In Britain, addicts are treated as sick rather than as criminals.

6. (b) false The National Traffic Safety Bureau attributes 25,000 highway deaths to drunken driving while gun murders in 1968 were 8,870.

IRGP, LPKE, LBH, LPK, ETH, NEG-A, NEG-B, PC-R
71-650-105

nam. Jesus

Convicts on Campus

NewGate Plan Gives Prisoners Opportunity To Get College Degree

Let Out for Schooling, Most Inmates Do Well; Tensions Take Their Toll, However

A Killer in Graduate School

10/4/71

By JOANN S. LUBLIN
Staff Reporter of THE WALL STREET JOURNAL

EUGENE, Ore. — ~~Bill, a 23-year-old~~ sophomore at the University of Oregon, leads a tougher life than most students.

Bill isn't allowed to take a drink. Driving a car would land him behind bars. On a date, he has to make hasty excuses to get back to his residence hall by 10 p.m. on weekdays or 11 p.m. on weekends. During the day, he must visit his counselor at the residence hall once every four hours.

That kind of life would be anathema to most of his classmates, but Bill isn't complaining. If he weren't in college, he'd still be in prison, serving the last months of a five-year sentence for armed robbery under conditions much more restrictive than those he must bear on the campus.

Bill got his break in the Oregon State Penitentiary, a maximum security prison in Salem, where he competed successfully for a place in federally funded Project NewGate. That permitted him to start college courses when he still was behind bars and, this past summer, to leave prison for the relative freedom of the Oregon campus on what is termed "school release."

Signs of Success

Project NewGate already shows signs of success in transforming hundreds of convicted felons into hard-working collegians. If its early promise is fulfilled, it will be a significant victory for prison reform; for many convicts, prison serves as little more than a school for advanced education in crime.

The project was started four and a half years ago by Thomas Gaddis, a psychologist and the author of "Birdman of Alcatraz," to give bright inmates a chance to earn a college degree while serving their sentences. The Federal Office of Economic Opportunity so far has spent $3.6 million on NewGate projects in six states: Oregon, Colorado, Kentucky, Minnesota, New Mexico and Pennsylvania. More than 600 convicts have taken part in the program.

Oregon's is the only NewGate project that permits prisoners to leave the penitentiary to live on campus before parole or discharge. The other states confine course work to classrooms behind the walls, although some finance on-campus study for parolees.

It took a while for Oregon prison authorities to buy the idea of turning loose men convicted of crimes as serious as armed robbery and murder. But only 31 or 20% of the 153 convicts in the program who have been released since 1967 have gone back to the penitentiary. Of those 31, only seven returned for committing new crimes; the rest were parole violators. About two-thirds of all prisoners released in the U.S. land in jail again for parole violations or new crimes.

A Killer Goes to Graduate School

NewGate projects in other states also report good results. In New Mexico and Kentucky, inmates have been paroled to college campuses since January 1969. Of 88 such parolees in Kentucky, only three have been charged with fresh offenses, and New Mexico's parolees have a perfect record; none of the 35 NewGates paroled from the Santa Fe Penitentiary to Eastern New Mexico University have gone back to prison even for parole violations.

The project in Oregon boasts some academic success, too. Ten NewGate students have earned bachelor's degrees from the University of Oregon and three other colleges, University of Portland, Oregon State University and the Oregon College of Education. One graduate's murder conviction was commuted by Oregon Gov. Tom McCall so he could use a $6,000 graduate-school fellowship in the East.

NewGate's costs are high, nearly $6,000 a year for tuition, room and board and other expenses for each campus resident. A frequent critic of the program, Democratic Congresswoman Edith Green of Oregon, has argued that the cost is "a very considerable expenditure for a limited number of people."

Mr. Gaddis, the program's founder, argues that the cost of not rehabilitating a convict is even greater; processing one felon from the time of his arrest to the expiration of his prison sentence may cost as much as $25,000, he says. V. Lee Layman, director of the Oregon project, says that "we're dealing with 100% failures. So if we win any, we're doing something."

$40 a Month

Inside the prison, competition for the nearly 100 places in the program is intense; 20 prisoners apply for every opening. Applicants must be eligible for parole within three to five years. The program requires a transitional period ranging from six months to two years, during which the inmate takes courses behind bars and gets intensive counseling before he is allowed to leave prison and live on campus.

Some inmates view NewGate as one way to leave prison sooner, and to earn more money ($40 a month) than they're paid for washing uniforms in the prison laundry or sanding chair arms in the factory. But to Mike, a convicted embezzler who joined NewGate to "get out fast," the program now is "more than just a way out of here." With 130 college-credit hours for study in prison, Mike hopes for release to the Oregon campus soon to major in forestry.

Both inmates and program officials say the key to NewGate's apparent success lies more in individual counseling and group therapy than in the educational aspect alone. A clinical psychologist conducts therapy groups for the 50 or so NewGate students inside the penitentiary and for the 24 students on campus. The 1,100 regular inmates of the Oregon penitentiary share the services of a single psychologist.

Despite courses and therapy inside the prison, many NewGaters released to the campus find simple chores at first difficult—such as buying a pair of pants or finding the right bus route; many of them have been in institutions for years. A 23-year-old NewGater called

Please Turn to Page 17, Column 3

10-4-71

Convicts on Campus: Project Gives Inmates Shot at College Degree

Continued From First Page

Roger had no opportunity to live on his own as an adult until he joined the program; he had been in and out of correctional institutions since he was 12.

Roger set fire to his family's home, and two sisters and a brother died. His last seven years in the penitentiary were served for a second-degree murder conviction. When the stocky, dark-haird young man arrived in Eugene last March, he felt lost in a clothing store, bewildered by a restaurant menu and completely baffled by the array of dials on an automobile radio.

Sam, a 26-year-old NewGater, was surprised to find bell-bottoms the current vogue in trousers. Few people wore them three years ago when he entered prison for armed robbery. "If you don't wear them now, you're a 'narc' (narcotics agent)," he says. Though he does wear them now, he still gets mistaken for an undercover agent because of his out-of-style ducktail haircut.

NewGate officials concede that the transition from prison to campus life is abrupt. Nonetheless, the one-time burglars, robbers and check-forgers who make up a large part of the NewGate enrollment turn out to be surprisingly good students, because of their maturity and motivation. They're not in college simply "because their mothers told them to go," says Barre Toelken, an associate English professor who has been impressed by several NewGate students in his folklore classes.

The convicts have to budget closely to stretch their $40 monthly stipend to cover entertainment expenses, including dates. And NewGaters complain about their early curfew on dates. "All of a sudden, at the magic hour, you're a convict again," one says sourly.

Most Saturday evenings, parked cars crowd the shady street around "Aldergate," a residence that houses eight NewGaters (16 others live in a dormitory annex). Women drive to the houses for their dates because the convicts cannot drive or own a car. "I thought it was funny at first, going to pick up your date, when I was used to a guy coming for me," says Barbara, the 21-year-old bride of a NewGate burglar now on parole.

Barbara's husband, Ken, told her when they first met last January that he was a convict. She says that didn't disturb her. "This guy did this (burglary) before he met me," she says. "And, if he does it again, then it will hurt me. But right now it doesn't matter."

Still, many NewGaters have problems getting dates readily, and tension builds up over money and the pressure for good grades. "After six weeks, I was ready to go back," says Dick, a convict who once spent two years on Death Row. "I was scared to death (of women)," he says, and he was convinced that "everyone stares at you" in the student union cafeteria "because you're an ex-con."

The tensions have encouraged some NewGaters to run away from campus; eight, all together, have escaped. "All of those who left had very heavy personal hangups which they couldn't admit or deal with," says Steve Perry, a counselor.

10-7-71

WALL STREET JOURNAL

VOL. CLXXVIII NO. 69 ★

Adm Justice

Freedom—at a Price

Bail Bondsmen Wield Surprising Power, Stir Growing Controversy

Al Farb Can Determine Who Stays in Jail, Who Leaves; But System Is Changing

'Nice Present' for a Lawyer

By JONATHAN R. LAING
Staff Reporter of THE WALL STREET JOURNAL

INDIANAPOLIS—The burly, bearded youth accused of selling marijuana appears at the Marion County Municipal Court here. In minutes the judge sets his bail at $2,700. As the youth is led back to the lockup, he nods at his wife, who is dressed in an American flag print minidress.

Al Farb has never met the youth or his wife. But he watches the whole scene intently through the sunglasses he frequently wears indoors and out. Al is a commercial bail bondsman. The day before, the youth's lawyer had asked Al to bail out his client, who had just been arrested.

After the hearing, Al—that's what nearly everybody calls him—confides to a visitor that he has decided against bailing out the youth. "I don't like the dress his wife was wearing," he explains. "It was disrespectful of the flag.

Of course, Al and other bondsmen usually make decisions on less subjective grounds. But Al's snap decision — consigning the youth to remain in jail, points up the often surprising power of bondsmen over millions of Americans.

"Bail bondsmen in effect hold the keys to freedom for a sizable percentage of the approximately seven million Americans arrested annually," observers Richard Veldey, associate administrator of the Law Enforcement Assistance Administration, an arm of the Justice Department that assists state and local police and penal agencies.

In recent years, bondsmen like Al—and indeed, the whole bail system—have increasingly come under attack. For one thing, critics charge that bail discriminates against the poor. "Bail is in reality a system of preventive detention for the poor," insists Hans W. Mattick, University of Chicago criminologist and a former deputy jail warden. "The indigent defendant often languishes in jail for months unable to contribute to his own defense while the more affluent defendant, professional criminal and syndicate figure can usually find a bail bondsman."

Indeed, a government survey last year showed that over half of the more than 160,000 Americans in jail were in either the pretrial or preconviction stage. With the exception of a small percentage held without bail on capital charges, these thousands of unconvicted prisoners could well have been out on bail.

Some Blamed for Bribes

Moreover, critics charge that the bondsmen, who are central to the system, often bribe lawyers, policemen and jail guards to steer clients to them. In some instances, bondsmen have bribed judges to rig the setting of bail. A 1964 New York City Bar Association report on bail branded bondsmen as the single most corrupting factor in the administration of criminal justice.

Yet, unknown to most people, these same bondsmen have powers of arrest and interstate retrieval of defendants that exceed those of law officers. In retrieving bail jumpers, bondsmen can use force with little accountability.

With criticism of the bail system mounting, courts are making it easier for defendants to obtain bail. Increasingly, defendants are released without bail altogether. As one result, many believe bail bondsmen are a dying breed. In Illinois, they have practically disappeared. And in such large cities as New York and Washington, their number has declined sharply in the last five years. But bondsmen still play a crucial role in most areas.

Such is the case here in Indianapolis, where Al Farb and about two dozen other bondsmen still operate from shabby storefronts near the city's police headquarters. A look at Al's operation reveals a good deal about the little-known but important world of the bondsman.

Planned to Be a Lawyer

At 66, Al has been a bondsman since 1927 when his father's death forced him to drop out of college and take over the family bail bond business. "I'd planned on being a lawyer, but with my mother and a younger brother and sister to support, I had to quit school," he says. Al's father, Sam, was an immigrant who started selling tamales and frankfurters from a stand near the old courthouse here.

Al's routine has changed little since 1927. By 8:30 each morning, Al and other bondsmen crowd the hallway of the city's municipal court where people arrested the previous day come up for bail hearings. Though the court session doesn't begin until a half-hour later, the bondsmen are already busily buttonholing lawyers and huddling with relatives of the prisoners to line up new business.

The origin of Al's power and business, of course, is that many defendants don't have the money or connections to raise bail money. Bail, which traces its origins to medieval England, is a form of financial guarantee designed to insure a defendant's appearance at trial. It can vary from as little as $15 for a minor traffic offense to more than $500,000 for serious crimes when the risk of flight is great.

In return for a "premium" or fee (in most states, 10% of the bail), bondsmen like Al agree to accept liability for the full amount of the bail if the defendant fails to appear for trial. Like most bondsmen, Al acts as an agent of a bonding and surety company that underwrites construction and performance bonds in addition to bail bonds.

Al's company, Indiana Bonding and Surety Co., headquartered here, has about 30 bail bond agents and total bail bond liability of

Please Turn to Page 22, Column 1

ifts

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6% a year on Time Savings Accounts!

Guaranteed for 2 to a full 5 years when held to maturity

Freedom—at a Price: Bail Bondsmen Wield Great Power, Stir Debate

Continued From First Page

more than $3 million. In exchange for the company's backing, Al pays Indiana Bonding half of the 10% fee he charges on bail bonds. He is also liable to the company for any forfeitures of bonds he writes.

The industry has its financial risks. For instance, earlier this year, United Bonding Insurance Co., a large national bonding company headquartered in Indianapolis, went into receivership—in part because of a number of bail bond forfeitures. In addition, many states have loose financial requirements for bonding concerns, so failures among surety companies aren't unusual.

But Al has few bail forfeitures because he is careful to avoid defendants whom he considers to be "bad risks." Al considers screening of risks the bondsman's most critical and difficult task.

By securing releases without bail for many of the "good risks" who once would have used bondsmen, Indianapolis's year-old bail commission has made screening tougher. "The commission has really made us scuffle for business," Al says.

Al's standards for judging criminals may seem strange. The bondsman cares little about the seriousness of the charge and is mainly concerned with the likelihood of flight. Over the years, Al has gladly made bond for dozens of murderers, rapists, professional criminals and narcotics dealers.

In fact, Al prefers the real professional criminal. "They know the rules of the game and usually don't jump bond," he says. The ordinary citizen may dread the Mafia, but Al says defendants with Mafia connections are among the most gilt-edged risks and he has bailed out many over the years. "The syndicate boys from Chicago mostly call me to make bond on their gamblers," he says. "I've always found that a gambler's word is better than a banker's."

Al carefully considers factors like a defendant's employment record and length of residence in the area. "I try to determine a guy's ties to the community and the odds of his not appearing," he says.

Shuns Panthers, Hippies

But some of Al's decisions are emotional too. The bondsman refuses to bail out Black Panthers and other black militants because he considers them "subversive." He shies away from "hippies" ("I don't like their philosophy"). Bail critics have long argued that such summary rejections on the grounds of creed or life style are common and illustrate a major defect of the bail system.

On large bonds, Al usually demands collateral. He required a pledge of $100,000 worth of real estate as security on a $75,000 bond he once posted for a local physician charged with an abortion death. (This was Al's record bond.) But as most of his clients are poor, Al can obtain collateral on fewer than one-third of his bonds.

In most cases the short, slightly-built bondsman must rely simply on his instinct. In one typical interview in the Marion County Jail, a prisoner in his early 20s tearfully begs Al to guarantee his $5,000 bail on a check forgery charge. Under Al's insistent questioning, the youth admits passing the forged checks for spending money but says he wants to settle down, find a job and make restitution for the checks.

At the same time, the youth concedes he has never held a full-time job because of laziness. He also says he came from a broken home, made several runaway attempts as a teen-ager and has an older brother in a mental institution.

Despite the prisoner's vows to settle down, Al decides against guaranteeing his bail. "with no job or strong family ties, the kid is a poor risk," he explains. "You can't afford to get sentimental in this business."

Though he scrutinizes clients carefully, Al is always eager for new business. For this he needs connections. For one thing, bondsmen depend on criminal lawyers for nearly all their referrals. For another, close ties with the police often prove invaluable in obtaining information and aid in tracking down bond jumpers.

So Al eagerly courts people who can help him. Recently a sheriff's policeman stopped him in a corridor of the county jail and casually mentioned a coming police benefit. Al quickly bought two tickets. Later Al dropped by the chambers of a criminal court judge to hobnob with the judge about the stock market. He never fails to send "a nice present" when a criminal lawyer or a member of a lawyer's family marries. "You've got to do right by people if you expect them to do right by you," he explains.

The toughest part of the business is tracking down bond jumpers. Al has traveled all over the United States hunting fugitives. "A bondsman can't afford to get the reputation of being soft or pretty soon all his defendants will start skipping bail," he explains. "My clients know that I'll go to any length to bring them in."

Since 1960, only five fugitives have evaded his capture, though dozens have tried, Al claims. In many cases, relatives or friends of bond jumpers reveal the fugitives' whereabouts—especially if they have furnished collateral on the bond. "Understandably, relatives are more helpful when I have a lien on their homes," Al says.

Effective "Feelers"

In tough cases, Al routinely pulls strings to get federal authorities here to issue federal flight warrants for the fugitives. The warrant brings the FBI into the search and also results in national circulation of the fugitive's picture and description. Al also "puts out feelers" to numerous contacts in many fields, including the underworld. This personal network sometimes proves surprisingly effective.

For instance, a tip from an Indianapolis mail inspector helped Al track down a man charged with a knife assault who had jumped a $5,000 bail bond. Several weeks after the man's disappearance, the inspector told Al that the post office had received a request to forward the fugitive's mail to a post office box in Los Angeles. The next day, Al flew to Los Angeles and staked out the box with an off-duty Los Angeles policeman he had hired. "It was only a matter of a couple of hours before the guy showed up," Al said. "He was so amazed to see me that he surrendered as meekly as a lamb."

Al claims that he avoids strong-arm tactics in capturing bond jumpers. Though he owns two pistols, he says he last fired a gun in 1955 when a bond jumper tried to speed away from Al on a deserted Indianapolis street. "I hit his rear-view mirror and the guy got so scared that he crashed his car into a Chinese restaurant," Al recalls with a chuckle. "A policeman who happened to be driving around the corner then nabbed him," the bondsman added.

Power to Strong-Arm

But bondsmen have wide powers to use strong-arm tactics if they choose. Contracts with clients are open-ended on this count. For instance, Al's clients "waive extradition proceedings" and "consent to the application of such force as may be necessary to effect their return" if they jump bond and leave Indiana. "By virtue of their private contract with bailed defendants, bondsmen have greater powers than even law officers," observes John J. Murphy, University of Cincinnati law professor.

While state law officers are subject to criminal prosecution unless they fire in self-defense, bondsmen can use deadly force even on persons charged with misdemeanors. The reason is that there are no state laws governing bondsmen's power of arrest.

Bondsmen arrests are sometimes bloody. Last May, two bondsmen shot a Cincinnati bond jumper to death as the fugitive's eight-year-old son looked on. One of the bondsmen also died in the shootout. The fugitive had jumped bond after losing an appeal of a 13-month sentence for attacking a policeman during a racial disturbance.

Though the bail business can involve truly grim incidents, Al says it provides him a "nice living." In an average year, he writes about 1,500 bonds or about 30 a week. Out of this income, he pays his 72-year-old brother-in-law and another assistant to man the office.

Many bondsmen fear that their whole industry may soon be part of the past, too. The 1966 Federal Bail Reform Act gave federal courts discretion to allow criminal defendants to post only 10% of their bail bond with the court rather than the full amount. If the defendant skips bail, he is liable for the full amount. But unlike a bondsman's fee, the 10% deposit is returned following disposition of the case when the defendant appears on schedule. Some states have also passed laws encouraging similar—or more liberal—practices.

Moreover, New York, Washington, D.C., Des Moines, Indianapolis and a number of other cities have established special bail commissions to interview newly arrested defendants and recommend release without bail for those deemed "good risks."

"The bail bondsman is an anachronism and is slowly passing from the scene," says the University of Cincinnati's Prof. Murphy. But in most areas, he adds, they still play a "crucial role."

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VOL. CLXXVIII NO. 88 ★

Legal Action

Judges Across the U.S. Campaign for Reforms In the Nation's Prisons

11/3/71

Some Systems Are Declared Unconstitutional; a Result: More Probation Ordered

'Filthy, Oppressive, Shocking'

By PAMELA G. HOLLIE
Staff Reporter of THE WALL STREET JOURNAL

PHILADELPHIA — Holmesburg County Prison here is much like California's San Quentin and Soledad, New York State's Attica and many other overcrowded and strife-torn penal institutions across the nation. Black prisoners rioted at Holmesburg on July 4, 1970. Hard drugs are said to be in plentiful supply within its walls. Homosexual assaults by older prisoners on younger inmates are commonplace.

But Holmesburg has one distinction shared by only a few other prisons: Its penal system has been declared unconstitutional.

After reviewing conditions at Holmesburg last year, a three-judge panel of the Philadelphia Court of Common Pleas declared that sentencing anyone to the institution would violate the eighth amendment to the U.S. Constitution, which prohibits "cruel and unusual punishment." The judges' decision was upheld last month by the Pennsylvania Supreme Court, one of whose members stated that "many of the prisons today are filthy, unhealthy, oppressive and often shocking, and for various reasons, the safety and security of many inmates are sometimes in jeopardy."

"Prisons aren't supposed to be torture chambers," says Judge Robert N. C. Nix Jr., presiding judge in the lower court decision. "The separation from society is supposed to be punishment enough."

Bread and Water

The Pennsylvania jurists weren't the first to reach such a conclusion. In 1969, Arkansas Judge J. Smith Henley declared the entire penal system of his state unconstitutional. Subsequently, judges in Florida, West Virginia, California and Illinois have also ruled that various institutions in their states were meting out cruel and unusual punishment.

Only last weekend, U.S. District Court Judge Robert R. Merhige Jr. ruled the Virginia state penal system was in violation of "the most common notions of due process and humane treatment." The ruling was issued in response to a class-action complaint filed a year ago by five inmates of a state prison in Richmond.

Virginia's 5,700 inmates had been subject to bread-and-water diets and such punishments as being chained, handcuffed or taped to their cell bars, Judge Merhige says. Other methods of punishment, including nudity and solitary confinement, "have been a consistent course of conduct by prison administrators and those beneath them," the judge said in his opinion. Judge Merhige ordered the cruel and unusual punishment practices to stop immediately and further ordered hearings on prisoner complaints to be heard within 30 days.

It isn't yet clear whether such decisions will hasten widespread reform. No prison declared unconstitutional has yet shut its doors. In fact, state boards of corrections in many cases continue to assign convicts to these institutions because the states are without funds to build new facilities. So far, no judge has acted to ensure widespread enforcement of his order. And while two Holmesburg inmates were transferred to other institutions following the unconstitutionality ruling, few other Holmesburg prisoners have sought similar moves. One reason: A distant prison would be more difficult for visitors to reach.

Growing Use of Probation

But outcries from the bench have brought some positive results. Judge Henley's threat to close down the Arkansas penal system "unless conditions at the penitentiary farms were brought up to a level of constitutional tolerability" did result in the elimination of the "trusty" system and the hiring of better trained guards. The trusties—prisoners entrusted with the duty of guarding their fellow inmates—had been accused of beating prisoners, distributing and profiting from liquor and drugs, and shirking their duties.

Perhaps the most striking judicial change prompted by prison conditions has been the growing use of probation as an alternative to prison sentences. In fact, judges throughout the country are refusing to sentence convicted criminals to prisons where they feel conditions would hamper or preclude rehabilitation. In one illustrative case, a Chicago judge recently placed an 18-year-old convicted robber on probation because he feared the man might become a homosexual if sent to prison.

Judges have traditionally placed first offenders on probation; however, they are now extending this privilege to some recidivists. "Judges recognize that throwing men into holes often compounds the problem and simply isn't a legitimate means of punishment," says Leo Catsonis, the West Virginia attorney whose legal victory resulted in the state penitentiary being declared unconstitutional.

Judge Robert Evans of the Recorders Court in Detroit says, "Sometimes I look into the defendant's eyes and I think what a sentence in prison will really mean." As a result, he says he often opts for probation. And Judge Robert Drew of the municipal court of San Francisco says, "I view a prison sentence as a last resort."

From a statistical standpoint, the Philadelphia Department of Probation says judicial disenchantment with the penal system is largely responsible for a 38% increase over the past year in the number of people on probation. Last year, Philadelphia judges granted probation to 44% of the defendants they found guilty. Furthermore, the rate in some cities is as high as 50% or more.

Whether it be increasingly lenient attitudes toward probation or not, the prisoner population has markedly declined over the past few years in some states. New York's Department of Correctional Facilities says its prisoner population has dropped to 12,800 this year from 19,213 in 1960. In California, the number of prisoners has fallen to 21,502 from 28,000 in just two years.

Many legal authorities contend, however,

Please Turn to Page 18, Column 4

Legal Action: U.S. Judges Campaign For Prison Reforms

Continued From First Page

that these declining figures in most cases haven't resulted in better conditions for those who still are in prison. Some prisons have simply closed off older wings, perpetuating overcrowded conditions in the rest of the facility. And declining prisoner numbers in other institutions have been more than offset by huge numbers of detentioners (untried persons who are awaiting trial but can't raise bail). At Holmesburg, for example, about 800 of the prison's 1,300 inmates are detentioners.

Few deny that most prisons are dangerously overcrowded. Nevertheless, judicially inspired reform in this and other areas of the penal system is viewed with alarm by many police officials and prosecutors. Relaxed stances toward probation, they say, often mean that dangerous criminals escape punishment.

Here in Philadelphia, Assistant District Attorney Paul Michel complains that a man with nine prior arrests for assault, robbery and rape was recently placed on probation after a conviction for armed robbery—although the crime is supposed to carry a mandatory prison sentence. "The judge felt that incarceration wasn't therapeutically helpful to the man," Mr. Michel says.

"Judges think it's fashionable to be lenient and liberal," complains Winston Moore, director of the Cook County, Ill., correctional department. "If judges keep putting everyone on probation we'll soon be out of business."

In fact, such decisions do mark a significant departure from the traditional closed-mouth approach of judges in the discussion of penal affairs. "Courts, as a rule, are like Victorian children—they speak only when spoken to," observes Judge Edmund B. Spaeth of Philadelphia's Common Pleas Court. Today, however, some of the loudest calls for penal reform are coming from the judges themselves.

Judge Israel Augustine of the New Orleans District Court, for example, feels so strongly about the need for penal reform that he has publicly threatened to resign unless prison conditions in his area are improved. "The system is medieval and archaic," Judge Augustine says. "I can't under my oath of office tolerate the situation as it is."

WALL STREET JOURNAL
April 6, 1972

An Experiment in 'Prisoners' Rights'

W-SJ 4/6/72

By ALAN L. OTTEN

Politics *and* People

WASHINGTON—The guards at the youth prison here were supposed to search mail only for contraband. The young prisoners were convinced, however, that the guards were reading much of the mail too, and even destroying some of it.

So they complained to the Center for Correctional Justice, and the center negotiated an agreement with the prison officials: There would be no more search of outgoing mail, and incoming mail would be examined only in the presence of an inmate representative.

The center, a half-dozen dedicated lawyers and other professionals plus another half-dozen equally dedicated law students, has for almost a year now been carrying on a unique and widely watched experiment here: Trained outsiders listen to the legal problems of youthful offenders, and then negotiate solutions directly with prison authorities.

The Only Hope?

"We are trying to develop some mechanism to resolve grievances and change the correctional system without extensive litigation and without violence," declares Linda Singer, the dynamic young lawyer who heads the project. It's still too early to assess results with certainty, but she believes the project is making good headway, and at least a few District of Columbia government officials agree. "This approach may even be the only hope of working our way out of the prison mess," asserts one Singer partisan.

In a way, the center's team, which includes a former offender who has proven particularly valuable in understanding prisoner attitudes and winning prisoner confidence, fills the role of the ombudsman or inspector, which a number of foreign countries have long provided their prisoners. The idea is just beginning to be tested in U.S. prisons, however, and the district experiment is the only one where outsiders do the job. Some 20 states and cities have written or sent officials for more information about its operations, and a couple are in the process of setting up programs modeled on the D.C. pattern.

"When we went to the Office of Economic Opportunity a year ago for money to finance this, it was a revolutionary idea," says Mrs. Singer, who with law partner Ronald Goldfarb spent three years researching a forthcoming book on American prisons. "It's amazing how much attitudes have changed in a year—even before Attica, but especially since." She cites Chief Justice Warren Burger on the need for "a simple and workable procedure by which every person in confinement who has, or thinks he has, a grievance or complaint can be heard promptly, fairly and fully."

Right now, there's little law or administrative practice governing prisoner rights, and while the volume of individual prisoner suits and class actions is rising rapidly, these are still a frustratingly slow and often expensive remedy. Even when judges do order some very specific changes, there's frequently little follow-through. Prisoners are understandably loath to complain when these orders are ignored, and judges are understandably loath to order sanctions against prison officials.

The center, a non-profit organization set up specifically to carry on this experiment, won cooperation from the District Youth Services Division to work with the young (18 to 26) offenders in the local prison system, about 1,100 in all. The team, both full-timers and law student aides, go through intensive preparation, including (for the men) a day and a night as "prisoners" in each facility they will cover.

So far, they have handled more than 500 cases, and the workload trend is steadily increasing. The young law students, who do most of the initial interviewing and screening, have set office hours for listening to complaints in each prison, halfway house or parole office, and inmates can also phone the center for help. Still other cases are referred by parole officers or prisoners' relatives or friends.

Basically, the program offers three types of legal services. Prisoners may feel they were tried or sentenced unfairly; if the interviewer agrees, he refers them to the district-supported Public Defender's Service for action. Or prisoners need help with some civil problem—to win or contest a divorce, protect property from repossession, check on custody arrangements for children. Here the center's law students refer valid cases to the government-supported Neighborhood Legal Services for help.

The most novel part of the program, however, deals with individual or group complaints about prison conditions. Here the project team investigates and tries to work problems out directly with prison officials. Though the program provides for outside mediation

or binding arbitration if needed, these haven't yet been used.

Most individual prisoner complaints are handled by the law students and the ex-offender, with supervision from the full-time center staff. A prisoner wants to transfer to another institution, or he doesn't want to be transferred. Another isn't getting out when he thinks he was supposed to, or wants more information than he has been given about his parole conditions. In one case, a student arranged a long, therapeutic talk session between an inmate and an official who the inmate thought was persecuting him.

Group complaints are normally handled by Mrs. Singer and one or two colleagues, meeting with a committee of prison officials and selected inmate representatives. Written agreements have actually been negotiated in a dozen different areas—allowing Black Muslims to hold religious services, extending visiting hours at the youth facilities, lengthening hours for sick call and guaranteeing more direct access to doctors in emergency cases, getting soft drink and candy vending machines in visiting areas.

Getting Results

"We have to produce results rapidly enough to convince the prisoners it's to their advantage to work with the system," Mrs. Singer notes, "but we also have to show the prison authorities that the kind of changes that are made are ones they can live with."

She gives high marks to most of the officials who have worked with the project, "because it's never comfortable or easy to have outsiders come in and tell you what you're doing wrong." One basic argument she uses to win their cooperation is that change is coming anyhow—that courts will force it on them if they don't do it themselves.

She also contends that negotiations will greatly reduce the number of suits that prison officials would otherwise have to take time and effort to defend. "Absolutely because of us," she proudly proclaims, Youth Services is the only part of the district prison system that hasn't yet been hit with a prisoner class action to change disciplinary procedures.

Another argument that she employs only occasionally and obliquely may, however, be even more persuasive with the authorities: Intercession of this sort can provide a vital safety valve to prevent explosion and violence. "Correctional officials all over the country are terribly nervous about riots," she declares, "and would be willing to cooperate with any means we can figure out to get outside help to prisoners and to create legal alternatives to what we have seen."

Relations with officials haven't been uniformly easy. "The staff would clearly prefer that we spend more time on prisoners' personal legal problems, and less on administrative complaints," Mrs. Singer concedes. Most D.C. government officials shy from discussing the project, an admittedly controversial subject among many prison personnel, but one high-ranking official gives it top marks. "Linda has handled things pretty well," he says. "The great appeal is that this helps with inmate tranquility and it helps keep things out of the courts. Those aren't bad helps."

As for project relations with the prisoners, Mrs. Singer believes "they realize we will find some of their complaints unjustified, and that sometimes we won't be able to do anything even about some of those we find justified. But they also realize we're getting quite a bit done." And, she contends, "it's giving people who have only seen law as an enemy a chance to use it for their own benefit."

More will be known soon, when the project takes a detailed poll of prisoner attitudes, and does other evaluation of first-year results. Of one thing Mrs. Singer is already sure, however: The ombudsman role must be carried on by outsiders. "No group that works for the prison system is going to have any credibility with the prisoners," she flatly asserts.

Can the ombudsman approach work equally well with adult prisoners? Perhaps even better, Mrs. Singer suggests. Older men not only are more sophisticated and better used to bargaining and negotiation, but they have far more at stake. Young offenders are in here for an average of only nine months, and may fear that complaining will jeopardize chances for early departure. Most older men are serving substantially longer terms, and thus are usually more interested in trying to improve their conditions.

New Legislation Needed

New legislation may be needed to clarify the access rights of outsiders, Mrs. Singer is inclined to believe. The local project, she says, operates in one of the country's better prison systems; "the greatest need is obviously in the worst systems, and that's probably exactly where they'll be most resistant to letting in outsiders."

Can the ombudsman-outsiders remain neutral, or will they inevitably become automatic advocates for the prisoners, and thus build resistance among the prison personnel? One theory is that they might become increasingly impartial as the worst conditions are gradually remedied, and the prisoner complaints move into grayer areas. So far, though, the project's experience has been the reverse, Mrs. Singer says; the law students and other project members resolved to be impartial, but often have become more and more partisan "as they don't see enough happening fast enough."

"This is the crucial question we must answer before we're through," Mrs. Singer observes. And she honestly adds: "I don't think we've really answered that ourselves yet."

Mr. Otten is chief of the Journal's Washington bureau.

Adm. Justice

Is LEAA a Flop?

W-S-J 5/16/72

Democratic members of a House subcommittee last week endorsed a report that pronounces the Nixon anti-crime program a failure, finding it shot through with waste, inefficiency, and corruption. The report catalogues questionable disbursement practices of the Law Enforcement Assistance Administration (LEAA), an arm of the Justice Department, as well as dubious spending practices by state and local law-enforcement agencies.

Well, one might say, it's an election year. The Democrats could not be expected to pronounce LEAA a model of efficiency even if it were, which it isn't. Even so, there is more here than meets the eye, more at issue than simply presidential politics. What is developing is a classic struggle between Democrats and Republicans over the strength of the central government, a struggle that has taken various forms throughout the republic's history and now focuses on the President's decentralization program. A bit of recent history explains why.

In 1968, with Republicans vowing to make "Crime in the Streets" a principal issue, Lyndon Johnson rushed forth with a plan to spend several hundred millions a year to aid local law enforcement. His proposal would have required state and local police, court, prison, and parole agencies to apply directly to the Justice Department for funds to pay for specific, approved projects. House Republicans (backed by Southern Democrats) insisted the effort be decentralized through the "block grant" concept. Under this system, each state would submit an overall plan on how it would spend its share of the total in the federal kitty. It would not be necessary to set up another giant federal bureaucracy to oversee the program. The states would be chiefly responsible for setting priorities and spending the funds wisely.

The liberal Democrats were aghast at the prospect of turning all this political power over to the states, and predicted waste, inefficiency, and corruption unless the federal government maintained direct control. Among those in the forefront arguing this line was Rep. John Monagan, Democrat of Connecticut. He lost, and LEAA was set up along the lines designed by the House Republicans. Mr. Monagan, chairman of the subcommittee whose Democratic members last week pronounced LEAA a failure, wants to replay the 1968 debate and this time get that political power back from the states.

That's fair enough. But the campaign is getting a bit nasty. Early last month, Mr. Monagan's staff leaked its hypercritical report on LEAA to Mike Wallace and the CBS television program "Sixty Minutes." Mr. Wallace accepted the report as gospel and took his cameras around the country to illustrate the flaws in LEAA. Republicans charged that the program was carefully edited to eliminate any evidence that did not jibe with the theme of the Monagan report. They turned up one Florida police chief who spent 2½ hours being interviewed by CBS and "had nothing but praise for LEAA," yet who didn't make the show at all.

Nonetheless, the question is a valid one: "Is LEAA a flop?" And if so, has the block grant concept been so discredited that one might as well forget all the Nixon ideas about decentralizing government—including revenue sharing? Can it be that state and local agencies just cannot be trusted to spend money wisely unless, every step of the way, the federal government is dictating directions?

So far as we can tell, having watched LEAA's development with a curious eye on the block-grant experiment, the results are mixed but hopeful. Undeniably, considerable money was hastily spent in the first two years of the program, undoubtedly much of it wasted.

The biggest mistake the Republican administrators made at the outset lay in trying to prove too earnestly that Big Brother wasn't needed at all. For its first two years, LEAA's staff included but five auditors, wholly inadequate for an effort that has thus far dealt out $1.4 billion. Fortunately, after the initial experience, LEAA was reorganized under director Jerris Leonard, and the auditing staff of 50 is having more success in making sure the funds are being spent for reasonable purposes. It's now clear the program is operating far better than the Monagan report would indicate.

Even before the reorganization, the experiment showed promise. The process by which the criminal justice community sets priorities and divides up the money fairly seethes with contentiousness and compromise, signs of real decision-making at the local level. A social engineer in Washington would likely allocate the money differently. But past experience suggests more money is wasted by this method than by having local professionals decide and be held accountable.

Thus, while we can agree that LEAA had a shaky start, we think it's altogether incorrect to pronounce it a failure. Indeed, the preponderant weight of testimony from the criminal-justice and law-enforcement community indicates the Monagan view is a minority view.

High Court, 5-4, Deems Unanimous Juries Unneeded in Most State Criminal Cases

5/22/72

By LOUIS M. KOHLMEIER
Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON — President Nixon's determined effort to turn the Supreme Court toward what he has termed "a conservative judicial philosophy" is beginning to pay off.

The court, in a five-to-four decision, held that the Constitution doesn't require unanimity of jurors for conviction in most criminal cases in state courts. The majority thus threw out the unwritten but ancient unanimity requirement that the court noted was established in common law long before the Bill of Rights was adopted.

Moreover, the jury issue drew from Justice Lewis Powell, one of President Nixon's appointees to the high court, a separate opinion that seemed to reopen the question of the extent to which the Supreme Court should apply the Bill of Rights to the states. The high court for several decades has been enlarging the application of the first 10 amendments to the states, and therefore restricting state criminal prosecutions and enraging judicial conservatives.

Court watchers agreed that yesterday's decision rejecting the unanimous-jury requirement in state criminal cases is one of the most important, if not the most important, high court decision concerning criminal rights since Mr. Nixon became President.

They further agreed that it will increase significantly the number of convictions in state courts. At present, only four states—Louisiana, Oklahoma, Montana and Oregon—are known to have laws permitting less than unanimous juries to convict criminal defendants, and officials here said these states retain the unanimity requirement in capital cases.

States' Expected Reaction

The experts expect, however, that many additional states will revise their statutes to allow convictions by nonunanimous juries in most criminal actions.

"Law and order," of course, was a major theme of Mr. Nixon's 1968 presidential campaign, and during that campaign and since he repeatedly has spoken out against Supreme Court decisions, handed down principally when Earl Warren sat as Chief Justice, enlarging defendants' rights in criminal cases. Mr. Nixon insisted that such decisions contributed to lawlessness by "handcuffing" police and what he termed "the peace forces."

The President sought to use his power of nomination to change the court and, after a series of bitter fights with the Senate, succeeded in naming four new members: Chief Justice Warren Burger and Justices Powell, Harry Blackmun and William Rehnquist.

All four, plus incumbent Justice Byron White, held that unanimous jury verdicts in state criminal cases aren't required by the Constitution. The decision philosophically is in keeping with, but will have far wider practical consequences than, the high court's 1970 ruling that juries constitutionally may be composed of fewer than the historic number of 12.

The majority opinion, by Justice White, didn't specify how many jurors' votes are required for conviction, nor did it say to what types of criminal offenses the decision applies. It merely upheld the constitutionality of Louisiana Law, under which major criminal cases, excluding capital cases, are tried by a jury of 12, nine of whom must concur to render a verdict. In capital cases, all 12 must concur.

In a companion case, also decided five to four, the majority opinion by Justice White upheld Oregon law requiring 10 votes of a 12-member jury for a verdict in a noncapital case.

The Sixth Amendment

The Sixth Amendment guarantees a right to jury trial in criminal cases, and other parts of the Bill of Rights provide other protections such as the right against self-incrimination. The Constitution doesn't say that jury verdicts shall be unanimous, but Justice White noted that the unanimity rule was "settled" in English law by the 15th Century as a means of insuring fair trials.

Despite the ancient history, the White opinion rejected the rule in a relatively brief opinion that simply held there isn't any good evidence that unanimity is essential to a fair trial. Therefore, the White opinion upheld the Louisiana statute, which justifies nonunanimous verdicts to "facilitate, expedite and reduce expense" in criminal trials.

Each of the four dissenters wrote a separate opinion.

Potter Stewart, frequently classed as a conservative, wrote the shortest and most sharply worded dissent. "The court has never been so impervious to reality," he declared, insisting that "only a unanimous jury can serve to minimize the potential bigotry of those who might convict on inadequate evidence or acquit when evidence of guilt was clear."

Thurgood Marshall's dissent said: "Today the court cuts the heart out of two of the most important and inseparable safeguards the Bill of Rights offers a criminal defendant: the right to a jury and the right to proof beyond a reasonable doubt."

William O. Douglas' dissent, after declaring that the majority had "discarded two centuries of American history," also insisted that abandonment of the unanimity rule will make it easier for prosecutors to establish proof beyond a jury's reasonable doubt. He said that "nonunanimous juries needn't debate and deliberate as fully as must unanimous juries," and unconvinced jurors can be ignored at whatever point in a jury's deliberations the necessary majority reaches a conclusion.

Admin of Justice
CATHOLIC WORKER
5/73

Federal Parole Board:

THE CAPRICE OF PUNISHMENT

By WILLARD GAYLIN

(Eds. Note: A federal prisoner has recently written us drawing to our attention the gross injustices of the Federal Parole Board. At present, Congressman Kastenmeier's Judiciary Subcommittee is conducting congressional hearings into the matter. We are fortunate to reprint portions of Dr. Willard Gaylin's research on this appalling situation.)

The United States Board of Parole is one of the great enigmas of our judicial process. Like certain passive but potent animal forms, it pursues its ends eschewing attack or defense, protected by the vagueness and lack of definition that permit it to rest safely concealed in a shadowy recess of the federal bureaucracy. Official boredom, public ignorance, and judicial apathy form its protective coloration.

In 1930 a central parole board located in Washington was created by Congress. At that time it was part of the Bureau of Prisons. In 1945 the parole board was ordered to report directly to the Attorney General, thus making it an independent agency in the Department of Justice. The board is both a policy-making and administrative body with jurisdiction over all federal prisoners. It consists of only eight full-time members appointed by the President for six-year overlapping terms.

This group of men, with the assistance of a small group of examiners, is called upon to make some *twenty thousand* separate decisions on applications for parole in a year. Since decisions require a concurrence of two, three, or more members, there are well over *forty thousand* individual "member judgments." These few men travel across the entire United States to examine the individual records, read the petitions, interview the parole applicants, presumably deliberate, set the date, and decide the terms of the parole.

All of which represents only one

(Continued on page 8)

The Caprice of Punishment

(Continued from page 1)

function to the parole board. In addition to considering applications for parole, the board administers parole for deportation; issues warrants for parole violators; conducts revocation hearings; promulgates rules and regulations for the supervision, discharge from supervision, or recommitment of parole prisoners. Further, only five members can devote themselves full-time to adult matters because three members of the parole board are assigned to juvenile crimes under the Federal Youth Corrections Act.

A prisoner generally becomes eligible for parole when he has served one-third of his sentence. a condition controlled by law and the sentencing judge. The remaining two-thirds of his time falls within the jurisdiction of the parole board. In terms of length of punishment, therefore, the board wields more power than the entire federal judiciary.

Both Carrot and Stick

The parole board will usually respect the intentions of the sentencing judge. The judge, being aware of this and of other standard parole procedures, will set sentence accordingly. The board, however, is not *legally* bound to attend the judge's wishes. When the political interests of the Attorney General's office demand it, the board will ignore both judge and precedent.

The uniform denial of parole to war resisters in 1966-67 is one flagrant example. The most extreme case could be seen in the treatment of the young conscientious objectors sentenced under the Youth Corrections Act. Under this act youthful offenders are given a long indeterminate sentence—from sixty days to six years (referred to by prisoners as "zip-six"). The intention of the act is to imprison a very young man for a minimal time, while imposing a long parole period. He thus quickly returns to society but remains under strict supervision. At the end of the parole he is rewarded by having his record expunged. Traditionally this procedure is routinely observed with cooperative prisoners. In all the cases of the imprisoned COs, however, a punitive parole board extracted a higher price under the Youth Corrections Act than if straight sentences had been given.

In at least one case a young CO was given this "zip-six" sentence by a judge who was sentencing older offenders to two-year terms. The CO was told that if he were "a good boy" he would be out in less than six months. He ended up serving double the time of his older colleagues—since he served at the discretion of the board.

In an interview with George J. Reed, chairman of the federal parole board, I asked why, with these "political" prisoners, the intention of the judge was ignored. I was told bluntly that after 120 days the judge loses jurisdiction over a case. Indeed, that is technically true, but normally his intention is not so readily disregarded. The parole board, while part of our judicial procedure, is nonetheless an arm of a political executive branch, and, as such, can use the scales of justice to balance political debts.

Why Parole?

The punitive aspect of our current judicial procedure is a tripartite phenomenon. The range of punishment is set by statute; when a law is passed, it defines what will be considered a violation of that law and indicates the range of permissible punishments. Thus, from the beginning, the implication is that the determining of punishment requires an understanding not only of the statute violated but of the nature of the violator and the conditions surrounding the violation. The range of sentencing, then, gives the judge a latitude in the second phase of the punishment procedure. The judge has discretion to decide each individual case and to allow for special considerations.

The parole procedure obviously is an attempt to extend justice beyond the point of trial. Its sole purpose would seem to be not law enforcement—which could be handled by alternating either the statutory penalty of the law or the sentence assigned—but rehabilitation. It gives the government an opportunity to evaluate the changed attitudes of a prisoner during the course of his incarceration. It allows for reward of "virtue" and punishment of "evil." Presumably, while it serves justice in the individual case, it also facilitates management of the imprisoned man by being a potent force of discipline. It is both carrot and stick. To accomplish this purpose, however, the parole board must define what is "evil" and what is "good." One would expect the board clearly and explicitly to state what is expected of all prisoners, and its basis for granting or denying parole in every individual case. Without rules it becomes difficult, arbitrary, and capricious to punish men for their violations.

Caprice

But, on questioning, members of the parole board deny even the existence of a general policy. They insist that each case is handled and adjudicated on an individual basis. Yet they refuse to indicate what it is they "individually" seek. The only published guidelines state that the decisions are made in such a way that they, "one, protect the public; two, conform to the law; and, three, provide fair treatment to the offenders."

But the very absence of standards violates fair treatment.

That this might be the case became evident to me during the course of research I conducted between 1967 and 1970 on imprisoned war resisters. I early became aware of the fact that all Jehovah's Witnesses in prison for violation of the Selective Service Act were routinely granted parole at fifteen to seventeen months. This was certainly reasonable, since they adequately satisfied the stated conditions for parole. But what was not understandable was that at the same period other Selective Service violators were routinely denied parole.

In an interview with an employee of the parole board, who demanded anonymity, this was conceded to be true. He stated that it was "the policy of the board" to grant parole only to Jehovah's Witnesses because they alone were considered to be "true COs."

When I asked Mr. Reed about board policy on these matters, he informed me that there was no such thing as "board policy" on any matter, that members function as individuals. This was astonishing. I pointed out that the statistics showed that Jehovah's Witnesses were granted parole while others were not, independent of which individual member of the parole board heard the case. He readily agreed to the facts but insisted that it was not "a matter of policy"—there was no such thing.

Of course there is such a thing as policy. Shortly after his appointment as chairman, Mr. Reed announced, in a dispatch reported in **The New York Times**, a new toughening-up policy. He proudly stated that since he had taken office, he had reduced the paroles granted from 45.2 per cent to 39 per cent.

The only conceivable reason for the board's failure to publish guidelines, for insisting, contrary to known facts, that it has no general policies, must be self-protection. As long as there are no rules, the board cannot be accused of violating them. If there are no precedents, there are no violations of precedent. The absence of rules provides an effective defense against accusations of bias or malice. Each man is sui generis, and the multiplicity of factors involved in the psychological judgments about the rehabilitation of any one man cannot be compared with any other.

This could offer a base for an equitable, if complex, system. It would demand the most detailed exploration of each individual case with some analytic finesse. But the board's procedure is no more equitable than its policy—or lack of it. Each man must be visited at his prison by one of the five members of the adult parole board, or by someone from the group of examiners shared with the youth division. No brief is presented, either by the institution or by the prisoner.

This is in itself disturbing, because prison files are not consistent or accurate records. I have seen black men listed as white, and Harvard graduates listed with borderline IQs. Knowing how difficult and time-consuming it

is to evaluate a man even from an accurate record, I was particularly dismayed when I was advised by an examiner that each man's record could be adequately appraised in five minutes. I required more than an hour for each individual record; on the other hand, I had to allow for their greater experience.

When I came to the interview it was another matter. I had already heard from a number of prisoners that the length of time varied from two to five minutes (and a board member stated the interview generally required less than ten minutes).

After the five- to ten-minute interview, which is referred to as the "hearing," the interviewing board member will then call Washington, where a colleague has presumably reviewed the record. If the colleague concurs, parole is granted or denied, and the matter ends there. Only if there is a disagreement will a third member be consulted. This is what is referred to as a majority decision.

The documents produced in the parole process are incredibly sloppy, often pencil-written, with erasures and misspellings. Opinions and justifications are rarely offered in any detail. What is presented is often capricious or even unconstitutional, such as listing under "liabilities" that a man has "not regularly attended Sunday church services." These are official, potentially legal, documents, and the worst I have ever seen in Washington.

There is, of course, no research division to review the board's methods. The board, unlike the Bureau of Prisons, sees no need for it. With such awesome responsibility, peace of mind alone would seem to demand it—but here self-confidence reigns supreme.

Nor is the composition of the board any assurance of diversity or independence. While it talks "multidiscipline," it appoints "penologists," and over the years the majority of board members have come up from the penal systems.

Prisoners without Voices

Parole board injustices are visited upon a group of people that have no representation. It is the problem with the prison system in general. Usually someone who goes to jail does not know anybody who "counts."

In addition, his very status as a prisoner works against his using the pitifully small resources available to him. It is possible for a prisoner to sue the parole board if he is denied parole unfairly. But given the fact that the same board will be reevaluating him later at another hearing, it is unlikely that he will bring suit.

If sufficient cases were to be taken to the courts, there is good legal opinion that the courts might act. Professor Davis, in his book, **Discretionary Justice**, offers one of the possible grounds for such action:

Because no one ever knows the reason for any decision of the board, no prisoner is ever told why the board has denied parole. . . . If he asks why, he is told that the board never gives reasons. If he presses far enough he may learn that the board itself does not know the reason . . .

The failure to state reasons has additional consequences. Even the most flagrant abuse of discretion is likely to go uncorrected if a board member is in such a hurry to get to his golf game that he votes in sixteen cases without looking inside the files; no one under the board system can ever know the difference, even though the personal liberty of sixteen men may be at stake. How could a board member have less incentive to avoid prejudice or undue haste than by a system in which his decision can never be reviewed and in which no one, not even his colleagues, can ever know why he voted as he did? Even complete irrationality of a vote can never be discovered. Should any men, even good men, be unnecessarily trusted with such uncontrolled discretionary power?

He concludes with the opinion that the board's failure to state reasons for its decisions constitutes a clear violation of the Administrative Procedure Act.

Perhaps the most encouraging recent development is a decision handed down last May by the United States District Court in Manhattan. Sitting in the case was Judge Marvin E. Frankel, who has earned enormous respect in the federal judiciary in a very short time. His decisions invariably show intelligence, care, open-mindedness, and, above all, a refined rationality. In the case of *Sobell v. Reed* (which challenged a parole board ruling denying Morton Sobell permission to travel to Los Angeles to give a speech to a Communist party group), the judge held that the parole board is, indeed, subject to review under the Administrative Procedure Act.

Judge Frankel found that the Board of Parole had violated the First Amendment rights of the plaintiff.

It will take more than one man's opinion to change the parole board. It will require a public awareness that crime and violence are not controlled by putting more and more people into prison for longer and longer periods of time; that you do not serve due process by mocking it; that men are not trained to value justice by being treated unjustly; that arrogance does not breed respect, nor humiliation pride; and that hope betrayed leads through despair to desperation.

The parole board will not change until the public becomes aware that the board is its servant, the prisoner its trust, and that justice is every man's comfort.

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6-12-1972

Reforming Reform

Massachusetts Official Turns to the Soft Cell In Fight on Delinquency

Training Schools Phased Out For 100 Halfway Houses; Critics Say Plan Coddles

Double Solitaire and a Scar

6/12/72

By LIZ ROMAN GALLESE
Staff Reporter of THE WALL STREET JOURNAL

SHIRLEY, Mass. — It was a dark, rainy night last December when 10 young men approached an isolated cottage at Shirley Industrial School, once reputed to be the state's toughest reform school. Armed with sledgehammers, they crashed through the front door, clattered up the wooden stairs and headed for the cells at the end of the long corridor.

The young men, once deemed incorrigible delinquents, had come to destroy the solitary-confinement cells where they had each spent up to several months as punishment.

When Jerome Miller, Massachusetts' 40-year-old Commissioner of Youth Services, gave the signal, they smashed the walls, the iron bars on the tiny windows and the entrance that once held a heavy steel door. "I worked myself to a sweat," says 19-year-old Mike. "I was kicking the walls from the inside, hammering them from the outside." Exhausted and relieved, the young men left the old cells a shambles.

The incident was symbolic of the closing of Shirley Industrial School that day. It was symbolic, too, of Mr. Miller's controversial plan, now almost completed, to close all Massachusetts "training schools," or reform schools, and to turn to small, unlocked homes, or halfway houses, each accommodating six to 20 youths.

Other States Experiment

Massachusetts pioneered in the use of reform schools more than 100 years ago, and most states now use them as the core of their programs of youth correction. But today a number of states are trying out new programs.

Florida is putting many delinquents in halfway houses rather than state schools. California is paying counties to parole lesser offenders and give them top-notch care. "Movement away from large prison-like institutions for youthful offenders is the current trend throughout the country," says Robert J. Gemignani, Commissioner of the Youth Development and Delinquency Prevention Administration of the U.S. Department of Health, Education and Welfare.

Here in Massachusetts, Mr. Miller's plan took hold in September 1970 with the closing of the Institute for Juvenile Guidance, at Bridgewater. (Mr. Miller has had a lock from an isolation cell there mounted on wood and placed on his desk.) Since then, Mr. Miller has closed the reform school at Shirley, the Residential Treatment Unit at Oakdale and the Lyman Training School. The only remaining reform school, the Lancaster Industrial School for Girls, is due to be closed this month.

For the bulk of the 1,200 to 1,500 juvenile offenders who are committed each year, Mr. Miller is relying on halfway houses in population centers around the state. The old reform schools were far from population centers.

Parole for Lesser Offenders

For 200 lesser offenders, Mr. Miller has started an intensive parole program. And for violent youths—the rapist, the arsonist, the murderer, the potential suicide—he is providing private psychiatric care in the setting of a group home. So far there is one such home, in Boston. It houses 20 youths. The home is kept locked. A resident's room is also locked if he has been acting violently. At the halfway house, on the other hand, there are no locks or barriers to fleeing.

An offender from a given community is commonly placed in a halfway house in that community. Generally, offenders are kept only three months, then are sent back to their family homes if the homes are considered stable. But youths will be kept longer than three months if they still need help or if there is no one at home who will care for them.

Mr. Miller's revolution against reform schools has touched off a storm of criticism. Lawmakers and politicians feared they would have fewer patronage appointments to make. And many sincerely doubt the wisdom of Mr. Miller's ideas. State Representative Robert J. McGinn declares, "Mr. Miller is moving much too fast in closing the schools. He isn't properly screening the children or the halfway houses. Conditions at some detention centers are unfit for human habitation."

Other opposition has come from community leaders who balk when "juvenile delinquent" homes are placed in their towns. Mr. Miller himself has been booed at town meetings and attacked repeatedly in the Boston press and by other critics on the ground that he is coddling criminals and hence is encouraging crime.

The Way It Was

Mr. Miller, a 10-year Air Force veteran who has a Ph. D. in social work from Catholic University in Washington, is a former associate professor of social work at Ohio State University. He took over as commissioner here in October 1969. Before then, the Massachusetts system exemplified the classic method of using only discipline and punishment to deal with delinquents. Mike, the 19-year-old who helped destroy the cells at Shirley, tells this story about that system:

At 15, Mike had been sent to Shirley for pushing heroin. Because the offense was a major one, he wasn't allowed to go home for Christmas, even after months of good behavior. So he ran away a few days before the holiday. He was soon found driving a stolen car and was taken back to the discipline cottage at Shirley. He was searched, hit, yelled at, stripped and thrown naked into a six-by-nine-foot solitary cell for being "unmanageable."

In the cell, which was equipped with one mattress on the floor, one sheet, and one blanket full of holes, Mike wasn't allowed to read, write letters, listen to a radio or even talk with inmates in the three other cells.

Mike spent several more weeks in the disci-

Please Turn to Page 23, Column 1

Reforming Reform: A State Official Tries Soft Cell in Delinquency Fight

Continued From First Page

pline cottage after his release from the cell. There, boys cleaned the kitchen in the morning and scrubbed cottage floors with toothbrushes. They spent the rest of the day sitting silently around card tables in groups of four, reading or playing cards.

At least once, Mike disregarded the no-talking rule. "I was playing double solitaire with another kid, and he cheated. I was so mad that I forgot I wasn't supposed to talk, and I exploded at him," Mike says. An irate guard immediately threw a chair at Mike, ripping the boy's upper lip. The wound left a scar.

That is Mike's version of life at Shirley in the days before Mr. Miller took office. But his life was changed dramatically one day, he says. One morning when the boys were sitting silently around the tables, he says, a new staff member entered the room, smiled and shouted, "I want everyone to start talking, screaming, clapping and running around." The new regime had arrived. (Today Mike is working full time for Mr. Miller's department. He's on the staff of the center that deals with violent youths.)

It's too early to gauge the results of the Massachusetts program. But Mr. Miller claims the rate of recidivism—lapsing again into criminal behavior—will be far less than the state's prior record of 60% to 80% for juvenile offenders. Mr. Miller says he hopes to drive the rate down to 30%. The national recidivism rate for juveniles ranges from 50% to 80%.

Qualitatively, Mr. Miller says, community-based homes have the advantage of providing on-the-spot counseling. He stresses that a relationship built by youngsters and counselors in such homes can be continued, informally and through parole programs, when homes are situated in the youngster's community.

He also cites cost advantages. According to the state, Massachusetts spends an average of $11,600 a year for each youngster placed in a reform school whereas the state's annual cost for each youngster placed in one of the small homes is $8,000 to $9,000.

The main hope of the new regime is the halfway houses, which are situated in about 75 communities. There are about 100 of them, run primarily by such groups as church and social action organizations, and most accept youths from sources other than the state. Given names like "Genesis II," "Acid" and "I Belong," and cheerfully decorated with home-made posters, candles and wall murals, they aim at rehabilitation without harassment. Some residents even attend school outside the home each day.

The Routines Vary

The daily routine in the halfway houses varies for each youth. In a home for 10 girls, 16-year-old June, a car thief and housebreaker, plays checkers with her counselor in the morning. The game is a form of therapy because June, a high-strung girl who insists on always being right, may learn from the game how to accept failure.

June spends the rest of the morning makeing paper flowers for a friend in the hospital and attends a private counseling session with her boyfriend after lunch. (She is pregnant, and the couple must decide, with help, whether to keep their baby.) A private tutor then brings June 11th-grade school work.

What keeps someone like June in line? The heart of many halfway house programs is a group meeting at which the residents pressure their peers into nondelinquent behavior. The group discusses daily behavioral problems, some as insignificant as a girl's forgetting to put out her cigaret. Residents are granted privileges in the house—the right to smoke, to be alone, to go outside—on the basis of their behavior.

The group-meeting technique teaches youngsters responsibility by first focusing on lesser examples of their own irresponsibility and then on more important ones, such as drug abuse. This therapy assures wary residents that someone cares about what they do, the theory has it.

Work Clothes and Status

At Hyde Park house, a Boston-based drug home, three boys and their counselor talk about a problem involving a new resident. A former heroin addict, 16-year-old Jimmy had himself committed after a pusher put a gun to his temple and demanded payments owed for drugs.

The evening session begins with Joe, the senior resident, accusing Jimmy of not asking for permission to change into his work clothes that day. As a new resident, Jimmy must ask permission for anything he wants to do. "You upset me! You haven't earned the right to do what you want yet!" screams Joe.

The counselor steps in. "You know you had to ask, and you didn't, Jimmy, and you're not feeling bad about it," he says. "What do you hope to achieve here?"

"Not to be afraid. To be honest with myself," says Jimmy, quietly.

"I don't believe a word of it," the counselor shouts. "What do you really miss the most here? Status? Because the truth is you can't take orders from anyone."

"Yes, I miss status," Jimmy says, grudgingly.

"But you've got to earn the status you want here," says the counselor. "Stop holding status as an image and concentrate on what you have to do to get it in fact."

Students Help Lesser Offenders

Mr. Miller's program for nearly 200 lesser offenders—the runaways, the truants, in-based

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The group-meeting technique teaches youngsters responsibility by first focusing on lesser examples of their own irresponsibility and then on more important ones, such as drug abuse. This therapy assures wary residents that someone cares about what they do, the theory has it.

Work Clothes and Status

At Hyde Park house, a Boston-based drug home, three boys and their counselor talk about a problem involving a new resident. A former heroin addict, 16-year-old Jimmy had himself committed after a pusher put a gun to his temple and demanded payments owed for drugs.

The evening session begins with Joe, the senior resident, accusing Jimmy of not asking for permission to change into his work clothes that day. As a new resident, Jimmy must ask permission for anything he wants to do. "You upset me! You haven't earned the right to do what you want yet!" screams Joe.

The counselor steps in. "You know you had to ask, and you didn't, Jimmy, and you're not feeling bad about it," he says. "What do you hope to achieve here?"

"Not to be afraid. To be honest with myself," says Jimmy, quietly.

"I don't believe a word of it," the counselor shouts. "What do you really miss the most here? Status? Because the truth is you can't take orders from anyone."

"Yes, I miss status," Jimmy says, grudgingly.

"But you've got to earn the status you want here," says the counselor. "Stop holding status as an image and concentrate on what you have to do to get it in fact."

Students Help Lesser Offenders

Mr. Miller's program for nearly 200 lesser offenders—the runaways, the truants—is based chiefly on parole. Youngsters are entrusted to volunteers, largely college students. A volunteer accompanies a youngster to court, gets him any needed medical care, enrolls him in school, finds him a job. The program, started in the Boston area, is being extended throughout the state.

Not everything in Mr. Miller's program has gone according to plan. A co-ed halfway house in Topsfield evoked some of the criticism of Mr. Miller. The program was successful for a while, then suddenly failed. An observer says two violent boys, and the staff's failure to cope with this type of offender, did much to destroy the program. "Hard-core kids can really screw up a program that's just beginning," the observer says.

Within weeks after the house opened, the observer reports, the two violent boys persuaded some of the 16 other youngsters to be their allies. This small but forceful group refused to cooperate and threatened to attack anyone who confronted them at the meetings. "Staff members wouldn't back up kids who pointed the finger at them," says 16-year-old Micki.

Finally, Micki says, some youngsters brought drugs into the house; others raided a locked medicine cabinet; frequent fights broke out. "It got so bad that two girls began having sex with the guys on the living room floor," says Micki. The program folded in six weeks. Mr. Miller closed it himself.

Mr. Miller, who tends to pooh-pooh criticism, concedes that some drugs were brought into the Topsfield house but says that that wasn't a major problem. He concedes that fights broke out but says that that wasn't a big problem either. He explains the failure mainly in terms of "staff problems."

"There was trouble getting the staff together," he says. "Though dedicated, they were inexperienced in handling the problems that came up. They had a savior complex."

He says that after the program was closed for a week, another program, with different staff members, was opened and is still operating today.

Mr. Miller is quick to say that his ideas don't constitute an instant panacea for delinquency. But he insists that his way holds out hope whereas the old system doesn't. He says the reform schools nurtured many of today's adult prisoners. "The system is sick," he says. "It creates psychopaths."

Death Penalties Unconstitutional, High Court Rules

Immediate Effect Is to Void Death Sentences of About 600 Waiting for Ruling

Four Nixon Choices Dissent

6/30/72

By LOUIS M. KOHLMEIER
Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON – The Supreme Court decided the ultimate "law and order" question by holding that capital punishment is unconstitutionally cruel and unusual punishment.

Over the dissents of all four of President Nixon's appointees, the five justices who were appointed by earlier Presidents joined in voiding the death penalty, as it historically has been applied under state and federal laws in murder, rape, treason and other capital offenses.

The issue produced nine separate opinions, leaving the precise meanings of the decision unclear in its application to all state and federal statutes and all capital crimes.

But there wasn't any doubt that the immediate effect was to void the death sentences of all of the approximately 600 defendants who have been sentenced to death in recent years and have been in death-row cells awaiting the Supreme Court's ruling. There haven't been any executions in the U.S. since 1967, and the death sentences of those who have been waiting presumably will be commuted to life imprisonment.

There was speculation in several of the dissenting opinions that state and federal governments might be able to write new, narrower death-penalty statutes that would win the approval of a high court majority. The speculators assumed that any such majority would consist of yesterday's four dissenters plus one or two of those who voted to void the death penalty, as it exists.

But the speculation is "difficult," one dissenter conceded, and, thus, yesterday's majority vote appears likely to abolish capital punishment entirely, at least until and unless President Nixon names a fifth justice or the present majority is overruled by a constitutional amendment.

A constitutional amendment appears unlikely at present, and would be strongly opposed by religious groups, political liberals and others who urged the Supreme Court to hold capital punishment unconstitutional. But the court's decision without question will be roundly condemned by many law-enforcement officials and political conservatives, who long have viewed the death penalty as the most fundamental deterrent to individuals who are potentially capable of committing murder and other heinous crimes.

Political Sentiment Growing

Moreover, political sentiment in favor of retaining the death penalty seems to have been growing in recent years, after a long period when the abolitionists were slowly gaining ground in state legislatures. For example, in New Jersey and California, where state courts threw out the death penalty, there currently are strong efforts to restore it.

But the high court's decision will thwart such states' efforts to restore old laws, as well as void apparently all of the death-penalty statutes currently on the books in 40 states and the District of Columbia. The decision seems also to invalidate sections of federal laws that prescribe the death penalty for various offenses, ranging from murder of the President or a member of Congress to aircraft hijacking and treason.

Whether any existing law or any new statute calling for the death penalty would win the approval of a majority of the present members of the court will have to await future decisions.

The five justices who yesterday held death-penalty laws unconstitutional as they exist at present were William O. Douglas, William Brennan and Thurgood Marshall, the court's liberal trio, plus Byron White and Potter Stewart. The latter two frequently vote with the Nixon appointees, and their opinions yesterday gave the dissenters hope of salvaging the death penalty in some form in future rulings.

Justices Brennan and Marshall alone wrote that the Eighth Amendment bars capital punishment for all crimes under all circumstances. Justice Douglas didn't go that far in his opinion, but also didn't suggest any circumstances under which he would find the death penalty to be constitutional.

Long Line of High Court Rulings

Justice Brennan wrote, and most of the other justices seemed to agree, that history doesn't offer any sure guide to the contemporary meaning of the Eighth Amendment as far as capital punishment is concerned. The death penalty existed when the Constitution was adopted and the Supreme Court never before seized any of the opportunities to strike it down. But Justice Brennan traced a long line of high court rulings that barred punishments inflicting pain and suffering on a defendant, and he noted approvingly a prior decision holding that the bar on cruel and unusual punishment must be interpreted according to "the evolving standards of decency that mark the progress of a maturing society."

The Brennan opinion, thus, held that punishment "must not be unacceptable to contemporary society," and "must not be degrading to human dignity." He wrote that, by contemporary standards, "death is today an unusually severe punishment, basing his assertion on statistics showing hat in recent decades actual executions have steadily declined. In the 1930s, executions averaged 167 a year and in the 1950s they declined to an annual average of 72, he said.

"The progressive decline in the infliction of death demonstrates that our society seriously questions the appropriateness of this punishment today," Justice Brennan concluded.

Justice Marshall reached much the same conclusions, but by a somewhat different route. Acknowledging that "capital punishment has been used to penalize various forms of conduct since the beginnings of civilization," he emphasized the moral aspects of the long controversy over such punishment and insisted that its abolition is "a major milestone in the long road up from barbarism.'

Violates Equal Protection Clause

Justice Douglas based his opinion on the conclusion that the death penalty, as it has been carried out, violates the equal-protection clause of the Constitution. Citing various statistics showing that relatively more blacks than whites have been executed for murder and rape, the Douglas opinion said: "It would seem incontestable that the death penalty is 'unusual' if it discriminates against (a defendant) by reason of his race, religion, wealth, social position or class."

Justices Brennan, Marshall and Douglas all insisted that there isn't any valid evidence demonstrating that the death penalty deters potential murderers and other criminals. The Brennan opinion, for example, said that, even if it is assumed that the death penalty is a superior deterrent than life imprisonment, "there is no reason to believe that as currently administered the punishment of death is necessary to deter the commision of capital crimes."

Justices White and Stewart voted against the death penalty on the ground that actual executions have declined to such an extent as to render the penalty itself unusually cruel. Justice White wrote that, "where the penalty is so seldom invoked, it ceases to be the credible threat essential to influence the conduct of others." Justice Stewart said it is "wantonly and freakishly imposed."

Admin of Justice

Week of July 10, 1972

U.S. JAYCEES GET FEDERAL FUNDS TO PROVIDE
HELP FOR EX-OFFENDERS

WASHINGTON -- The U.S. Jaycees Foundation has been awarded a $305,119 Federal manpower grant to provide ex-offenders a variety of services through expanded citizen involvement in criminal offender rehabilitation efforts.

Secretary of Labor James D. Hodgson said the one-year program will stimulate voluntary action and bring together public and private resources to meet the needs of ex-offenders and inmates of correctional institutions.

He pointed out that the project responds to President Nixon's appeal for greater voluntarism among Americans and part of the continuing effort by the Administration to provide meaningful services for prison inmates and parolees.

"Community involvement in the rehabilitative services that help ex-offenders become responsible, contributing citizens is the key factor in this project," Hodgson said.

"Training programs alone cannot succeed -- we need the human element that is available only through community involvement," he said.

In addition to direct assistance to ex-offenders and inmates, the Jaycees will also provide training to State and local Jaycee chapters and other public and private groups so they may be better equipped to determine and provide services needed by ex-offenders and inmates of correctional facilities.

The program to expand citizen involvement in helping the ex-offender make a successful re-entry into society will be carried out through the Jaycees' established network of volunteers, communications, and access to resources.

The Jaycees, one of the largest professional volunteer organizations, will provide the following services during the one-year project:

-- Liaison between ex-offenders and community agencies providing such services as job counseling, health care, housing, transportation, budget counseling, and recreation;

-- Development and distribution of training and information materials through a national center;

(MORE)

-- Liaison between local Jaycee chapters and "in-house" prison chapters, including liaison with personnel of correctional facilities;

-- Assistance to State and local Jaycee organizations in providing adequate service programs for ex-offenders;

-- Liaison between Jaycees and public and private agencies to provide a continuing follow-up of progress by ex-offenders.

The Jaycees' program is funded under the Manpower Development and Training Act which is administered by the Manpower Administration, U.S. Department of Labor.

The Jaycees' project is in line with the Labor Department's goal of setting up a national comprehensive system of manpower services for inmates, ex-offenders, and others who are less competitive in the job market because of legal infractions.

# # #

THE WALL STREET JOURNAL---August 11, 1972

Behind Bars

Critics, Inmates Assert That the Nation Is Ignoring Overcrowding and Poor Facilities of Small Jails

By JACK KRAMER
Staff Reporter of THE WALL STREET JOURNAL

LAS VEGAS, N.M.—Eulogio Duran has one ambition: He wants to go to prison.

"Prison is a plenty bad place," he recently explained to a visitor, "but it's better than this."

"This" is the San Miguel County Jail. And even the local sheriff agrees that a term in a federal or state prison is better than a stay in the San Miguel jail—with good reason. Food dangles from the jail's ceiling to keep it from the rats that, prisoners say, scamper through huge cracks in the crumbling walls. In winter, icy winds sweeping down off the Sangre de Cristo mountains rush in through broken windows, rustling ripped-open mattresses into which prisoners burrow to keep from freezing. In the summer, everything reeks of urine.

Unfortunately, San Miguel's jail is far from unique. In fact, as its condition suggests, while national attention is concentrated on state and federal prisons, the country's 4,037 local jails —which hold 45% of all prisoners—constitutes one of the gloomiest aspects of the penal picture.

"Jails are the weakest, most neglected link in our criminal justice system," says Richard W. Velde, assistant administrator of the Justice Department's Law Enforcement Assistance Administration. "On the whole, jails are brutal, filthy cesspools of crime."

Violence, Rape and Drugs

Problems common to all penal institutions —violence, homosexual rape, drugs, too little money and too many inmates—are often at their worst in municipal or county jails, which are least able to combat them. On the average, for example, jails are able to spend only about $1,046 annually on each prisoner, or about 55% of the $1,922 spent by state and federal penitentiaries. According to the nation's first jail census, completed last year, half of the jails have no medical facilities, 47 lack even an operating flush toilet and one in five is overcrowded—some of them seriously so.

Moreover, while state and federal prisons at least make an effort to keep inmates busy with such activities as making license plates or learning to cook, most jail inmates while away the days in complete idleness, lacking not only educational but even exercise facilities. And most jails, another survey showed, don't even have such basic operating necessities as plans for handling fires, riot or contagious disease.

Topping it off, says Mr. Velde of the Justice Department unit, jail personnel are "the most uneducated, untrained and poorly paid of all personnel in the criminal justice system—and furthermore, there aren't enough of them."

True, most jail inmates don't have to put up with their privations all that long: The average jail term is slightly less than two months, while the average prison stay is about 20 months. But penal experts say that plus for jails is offset by many factors.

One jail minus is the fact that while everyone in prison is a convicted criminal, more than half of those in jail are untried defendants —legally presumed to be innocent. They may be detained for months or longer simply because they cannot afford to post even a nominal bail. Moreover, 5% of the inmates are juveniles, two-thirds of whom are unconvicted and some of whom are under arrest for offenses that aren't adult crimes, such as possession of alcohol or running away. (In Conroe, Tex., last year, a 14-year-old boy in jail for truancy from school hanged himself.)

"It's not simply the injustice of throwing them in jail for such 'crimes', it's the contamination that's bound to happen when you throw them in with hardened criminals," asserts Robert Weddle, a professional jail consultant. According to the national jail census, 70% of all jails accept juveniles.

As a legal matter, the convicted criminals in jails are both misdemeanants—those guilty of lesser crimes—and felons awaiting transfer to the penitentiary or whose cases are on appeal. However, only about 7% of the estimated three million persons who pass through the nation's jails every year are charged with or convicted of felonies. For the most part, jails are catch-alls, playing social roles for which, critics say, they are ill-suited.

A way of Life

In many cities, the jail is primarily used to rid the streets of homeless drunks, to check prostitutes for venereal disease, and to punish gamblers, thieves and other petty offenders for which one brief jail term after another is a way of life.

(A Supreme Court decision handed down last month may change this situation, however. The decision gives the right of free counsel to any defendant who faces jail and who wants a lawyer but is too poor to afford one. Previously, misdemeanants weren't eligible for such counsel. In order to avoid the added costs of providing free lawyers in misdemeanor cases, some states have begun to rewrite misdemeanor statutes to eliminate the threat of imprisonment.)

However, despite rising concern, even outrage, by lawmen and penologists about the sad state of local jails and the damage they do, other attempts to reform thus far have a dismal record. "We are doing little more than fighting a holding action," says Michael N. Canliss, former president of the National Sheriffs' Association.

The traditional remedy is to replace crowded, dilapidated jails with new ones. But many authorities, such as Hans W. Mattick, co-director of the Center for Studies in Criminal Justice at the University of Chicago Law School and former assistant warden at Illinois' Cook County jail, contend this is a serious mistake. Too often, the real motive behind this approach is "monument building, contract letting and patronage" on the part of the sheriff and other politicos, Mr. Mattick says, and it usually amounts to "pouring the same old milk into new bottles while the "old continues to flourish."

What's really needed, critics insist, isn't more and larger jails but fewer prisoners. Yet many experiments that show promise of reducing jail populations, such as those given na-

tional publicity five years ago by the President's Commission on Law Enforcement and the Administration of Justice, tend to stagnate rather than spread.

The presidential commission, for example recommended "work-release" programs in which selected jail inmates would work in the community during the day, earning wages and paying for part of their keep, and then return to jail at night. Advocates say such programs have been highly successful since their introduction in Wisconsin nearly 60 years ago.

Yet a recent survey for the Justice Department discovered that work-release isn't widely used. Only 35 of the 50 states even have legislation authorizing it. In those states a total of merely 11% of the eligible jail inmates are participating, and most of the participants are located in five states.

The bail system in jails is also faulty, critics say. In the traditional bail system, they contend, the very defendants who are most likely to show up for trial are often held, not because they are guilty, but because they cannot buy their liberty. Yet the habitual criminal, who may be of more danger to the community, goes free merely because he has money.

To remedy this situation, the President's commission recommended that inmates who are good risks be released without money bail; and in the early 1960s, nearly a hundred bail-reform projects were established across the country to carry out this recommendation. But now the movement is "stagnating, even retrenching in some cities," according to Paul Wice, a political scientist at Washington and Jefferson College, Washington, Pa., who recently completed a nationwide survey of bail reform projects for the Justice Department.

The presidential commission also concluded that by handling alcoholics in medical treatment centers, so-called detoxification centers, rather than in jails, their periods of sobriety would be lengthened, and the load on jails would consequently be reduced. Proponents cite Kings County in the state of Washington as one successful example. The detoxification center there costs about $9 daily for each patient, compared with a cost of only $6.50 a day in the county jail, according to center Director Ron Fagan. But the special center has cut the number of alcoholic repeaters by about 40%, resulting in a significant savings of tax dollars, Mr. Fagan says.

"No Progress"

Nevertheless, according to researchers at the American Bar Foundation, which recently completed a study of detoxification centers and other reform proposals, there has been "no significant progress since 1966." Ray Nimmer, a research attorney who worked on the study says that in 1966 there were 246 detoxification centers. "Now, I'd be surprised if there are more than 250," he says.

But experts blame the dismal plight of local jails on a number of other factors as well—and some see little hope of improvement. Fragmented jurisdictions, for example, are a major source of trouble. Although there are only 250 state and federal prisons, there are more than 4,000 jails, each controlled and financed by separate, often overlapping governmental units. The result, according to a Justice Department survey, is "needless duplication of effort, inefficient use of funds, and rather substantial gaps and inequities in the administration of justice." One example of the difficulty is Waco, Tex., where the county houses the bulk of the area's prisoners in a cramped, rundown facility while the brand new city jail stands almost empty.

The rising crime rate also looms as a troublesome psychological factor. For instance, many bail reform projects "had their local funds cut off because people became convinced—wrongly, I believe—that suspects free on bail were playing a large role in the spiraling crime statistics," says Washington and Jefferson's Prof. Wice.

Lack of standards further compounds the sad state of jails. Although the Federal Bureau of Prisons publishes standards for state and federal penitentiaries, it publishes none for local jails. Moreover, fewer than half the states set jail standards, and most of these focus almost exclusively on construction and health. Usually, there are no educational requirements for custodial officers or jail administrators. Thus, while prison wardens are usually trained specifically and have exclusive responsibility for handling prisoners, sheriffs and other jail administrators usually aren't required to have training in penology, or even the formality of a high school education.

"Not only are sheriffs uneducated in penology, they usually couldn't care less about it," says Chicago Law School's Mr. Mattick. They're elected politicians, and political sex appeals is in enforcement and crack crime-fighting units, not in the jail."

But even if adequate standards were widespread, there's considerable doubt among experts that they would be enforced. In most localities, it's the responsibility of newly-convened grand juries—few of whose members have ever seen the inside of a jail before—to inspect the local jail and assess its quality.

Such checks are frequently no more than a formality, critics say. Last November, the Dallas grand jury dismissed prisoners' complaints about the county jail, giving it a clean bill of health. The next day, Sheriff Clarence Jones suspended three male jailers, two for accepting loans from inmates and one for having sexual relations with a female inmate.

Kicking a Habit

More Firms Begin to Hire Ex-Drug Addicts; 'These People Don't Have Horns and Tails'

By SANFORD L. JACOBS
Staff Reporter of THE WALL STREET JOURNAL

NEW YORK—Linda Bartonas, an 18-year-old receptionist for the Stamm Personnel Agency Inc. here, can't believe her boss knows the truth about her background and still wants her to work for him.

"I figured nobody would hire a dope fiend," she says.

Actually, Linda is an ex-"dope fiend." She recently made it through the rigorous rehabilitation program run by Phoenix House, a New York City treatment facility.

When Linda applied for the job, she did what many former addicts do. She lied about her background. But she didn't lie too well. The employment agency to which she went for help discovered her former drug problem. Instead of turning her away, however, the head of the agency discussed her treatment with Phoenix House and subsequently hired her himself.

A Reversal in Two Years

Linda's boss isn't typical. Most employers don't want any part of ex-drug addicts, but the hard line against employing them is beginning to ease. A few companies have started hiring former addicts, and a growing number of other concerns are reassessing policies that bar such persons from their work rolls. The trend contrasts sharply with just two years ago, when companies were interested only in trying to identify drug users so they could be fired.

In 1970, for example, police broke up a ring of dope pushers who were employes of a big New York bank. "Our reaction then was protective and punitive. We thought we had to get the barricades up and man the walls to keep these people out," recalls the personnel director. But today, despite that experience, the bank is recruiting among graduates of drug-treatment centers such as Phoenix House, and so far it has hired five ex-addicts and has six more under consideration. (The bank is not proud enough of its changed attitude to want its name in the paper, however.)

One reason for the change in corporate attitudes is that more money is being spent on drug rehabilitation, so there are simply more ex-addicts looking for work. More important, though, companies are coming to regard such hiring as good corporate citizenship, something that's receiving heavy emphasis in the business world these days. But until they gauge public reaction, many of these corporate citizens are asking to remain anonymous.

Many Problems

Of course, companies, including those that hire former addicts, aren't dropping their guard against employing active drug users. (The New York bank still requires a urinalysis from all new employes to screen out addicts, a policy adopted two years ago.)

Hiring former addicts raises problems. Corporate security people who are paid to worry about such things as thievery aren't happy about the prospect of having people around who were once forced to steal to support their habit.

Getting the new workers bonded can prove troublesome, too, particularly for banks and brokerage firms where the theft of a few pieces of easily concealed paper could mean a million-dollar loss. Another New York bank that plans to hire ex-addicts fears it may run into just such a roadblock. The bank hopes to circumvent the problem, however, by "appealing to the social conscience of the bonding firm's top executives," rather than dealing with underlings who usually decide whether to provide such coverage, says a bank vice president.

Public reaction is another consideration. One small home-improvement contractor lost thousands of dollars of business and was forced to move to another area after he hired ex-drug users. "A competitor found out and started asking the man's customers whether they wanted junkies working in their homes," says a New York State narcotics official. Big companies worry about the same effect.

Companies also have to guard against prejudice within their own ranks. Where possible, they limit knowledge of the past problem to corporate medical workers. At General Motors' Detroit Allison diesel division, which employs 75 former heroin users, even the workers' supervisors are unaware of the employes' backgrounds. "We have several ex-users who have subsequently been promoted. I don't think they would have been rated so highly if their supervisors knew the situation," says Dr. Robert G. Weincek, the division's medical director.

Higher Standards?

To help dispel such fears and prejudices the Chicago-based Kemper Insurance Group sent its supervisors to rehabilitation centers to meet and talk with patients. "Our guys were surprised to learn these people didn't have horns and tails," says James Kemper Jr., president. The concern has hired 11 ex-addicts since it implemented its program about a year ago.

Many companies are still skeptical and say they want more information before they do any hiring. The medical directors of 15 large New York companies, for instance, met on the matter for more than a year and concluded there wasn't enough known about addicts for them to make knowledgeable policy recommendations to their employers. The medical directors asked Cornell University to do a thorough study of about 200 addicts. Cornell is considering the request.

A New York state commission to evaluate drug laws is holding hearings this week to determine if legislation is needed to surmount discriminatory employment practices that keep rehabilitated addicts from getting jobs. Assemblyman Chester R. Hardt, chairman of the commission, says, the failure by employers to hire rehabilitants may be a "significant obstacle" to getting addicts "from a role of dependence on society to the role of asset to society."

Drug-rehabilitation people laud the new trend, but they also complain that employers seem to want absolute assurances of sterling performance by any former addicts they hire. "They don't expect it from any other group they employ, and they shouldn't set different, higher standards for these people," says a researcher for New York City's Addiction Services Agency.

There is a shortage of data on how former addicts behave. But one man who has worked extensively in the drug field has what he considers encouraging indications. Dr. Norman Gordon, a research psychologist at New York's Rockefeller University, found that one group of former heroin users who were being treated with methadone as a substitute for their heroin had higher IQs than a comparable group of non-addicts and performed their physical tasks just as well.

Ironically, some of the state and local governments that are pushing industry to hire former drug users are reluctant to do so themselves. New York State is one. "It won't get off the dime and revise its thinking. We can't place people in the most menial state jobs," says Howard Jones, chairman of the state's Narcotics Addiction Control Commission.

In addition, the State Liquor Authority refuses to allow the commission to place former addicts in jobs at restaurants where liquor is sold, although concerns such as Schrafft's say they are willing to employ them. The liquor authority maintains that it has a rule prohibiting people with criminal histories from working where alcohol is sold.

A group of 75 New York business and labor leaders recently formed a group called Provide Addict Care Today (PACT), which they hope will be able to cut through such bureaucratic bogs as well as sell other employers on the idea of hiring ex-addicts. Most of PACT's members already employ these people, and because of their experience, they believe they can do a better job than the government drug agencies can when it comes to convincing others to hire these people, says Rexford Tompkins, PACT chairman and chairman of the New York City Real Estate Board.

Adm. of Justice

Court Firm on Death Penalty

Atl. Const 10/11/72

WASHINGTON (UPI) — A petition to reconsider a decision banning capital punishment as unconstitutional was denied Georgia and Texas Tuesday by the U.S. Supreme Court.

The decision came on a vote of 5-4, the same as the original decision of last June 29.

Geogia's attorney general, Arthur K. Bolton, had sought to restore the death penalty to two inmates directly affected by the Supreme Court's earlier decision — William Henry Furman and Lucious Jackson Jr.

Bolton was unavailable for comment, and officials of the Department of Offender Rehabilitation were uncertain as to how they would cope with the latest decision or what affect it will have on those on death row.

At the time of the Supreme Court's original ruling, there were 22 inmates in death row cells at Reidsville.

Furman and Jackson were given death sentences at Savannah in 1968 for, respectively, murder and forcible rape.

Joe Hopper, the deputy commissioner of offender rehabilitation, said, "These men will probably be worked into the general population of the prison system. We are not sure at this time what status these men are in. We do not know whether their death penalty will automatically revert to a life sentence or whether they will have to go into court for resentencing. We are going to have to wait until we consult with the attorney general."

Commissioner Ellis MacDougall was out of the state and unavailable for comment.

In his petition for a rehearing, Bolton argued that the court paid "little attention" to the individual cases of Furman and Jackson and the other Georgia prisoners.

He said the court did not consider "whether the juries acted arbitrarily, the penalties were excessive, or even . . . whether the death penalty is being applied constitutionally . . . in Georgia."

The attorney general had announced earlier that the Supreme Court's banning the death penalty does not authorize a state to alter the sentence of inmates facing execution.

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Advisory Council

November 1972 No. 72-7

STATE-LOCAL SURPLUS: For the first time in many years, the fiscal position of State and local governments showed a surplus for the second quarter of 1972, according to the *Survey of Current Business*. On a seasonally adjusted annual rate, the fiscal picture in the second quarter for State and local governments (excluding social insurance funds) registered a "surplus" of $6.4 billion. Even though that includes two once-only factors--a $4 billion advance public assistance payment from the Federal Government and $0.8 billion in unusually high income tax settlements in Pennsylvania--the States and localities still show a $1.6 billion surplus. That is up from a $1 billion deficit for the first quarter of 1972, $2.7 billion deficit in 1971 and a $5.9 billion deficit in 1967. The *Survey* notes, of course, that despite an improved aggregate budget position, "many individual States and localities continue to face severe fiscal problems." It also recognizes that large surpluses probably will not be realized as States and localities will either raise expenditures or reduce revenues to adjust to their new position. An excerpt from "The Business Situation" from the October 1972 *Survey of Current Business* of the U.S. Department of Commerce is reprinted here.

CORRECTIONAL REFORM: The 1972 Massachusetts legislature adopted omnibus correctional reform legislation to make far-reaching improvements both in corrections administration and management and in the rehabilitation programs offered. The Act is based, in part, on the ACIR draft legislation, "State Department of Correction Act." Massachusetts legislature started with the ACIR draft and then tailored the measure to suit the needs of the State. The Massachusetts Act follows the ACIR bill in provisions for community based programs, greater State fiscal role and State standards. A description of the Massachusetts Omnibus Corrections Reform Act is reprinted from *Achievements: Massachusetts Legislature 1971-1972* by Speaker David M. Bartley. For more information on the ACIR corrections bill--or the entire ACIR legislative program--write: Rochelle L. Stanfield, ACIR, 726 Jackson Place, N. W., Washington, D.C. 20575.

LOCAL GOVERNMENT REORGANIZATION: California is taking a sharp look at local governments in the State with an eye toward reforming their structure and functions, eliminating overlap and duplication of services, and improving communication. A task force under the leadership of Lieutenant Governor Ed Reinecke is studying such major changes as redrawing county boundaries, consolidating and eliminating government units, reassigning revenue sources to other levels of government, revising the State tax structure (particularly regarding school finance) and finding new management methods. A speech by the Lieutenant Governor, describing the situation in California and the objectives of the task force, is reprinted here. ACIR--as well as the California Council on Intergovernmental Relations--is very interested in learning what other States are doing along these lines. Please send information and materials to: Rochelle L. Stanfield, ACIR, 726 Jackson Place, N.W., Washington, D.C. 20575.

the BUSINESS SITUATION

State-Local Fiscal Position

Final congressional approval in October of a Federal program of revenue sharing is expected to accelerate the improvement in the fiscal position of the State-local government sector taken as a whole that has been evident during the last several years.

Federal grants-in-aid for revenue sharing for calendar 1972 are expected to total $5.3 billion, current plans call for at least half of these funds to be paid in the current quarter. For calendar 1973, $6 billion will go to State-local governments under the revenue sharing legislation. During the 5-year period covered by the new law (1972–1976) more than $30 billion will be allocated to States and localities.

These large increases in Federal aid come at a time when the State-local budget on national income account (NIA) has moved into a substantial surplus (Table 1). As indicated in the table, this shift has emerged in recent years as social insurance fund surpluses have grown steadily and as the deficits in other funds, mainly operating funds, have been shrinking. From 1968 to 1971, the overall State-local fiscal position shifted from a deficit of $0.3 billion to a surplus of $4.8 billion. It should be recognized that even though the aggregate budget position has improved, many individual States and localities continue to face severe fiscal problems.

The surplus increased further in the first half of 1972, reaching a record $14.8 billion (annual rate) level in the second quarter. The overall second quarter surplus was swelled by two nonrecurring factors—a $4 billion advance payment of public assistance grants and $0.8 billion of unusually high income tax settlements in Pennsylvania—but a surplus would have been recorded in operating funds even in their absence.

Impact on full-employment deficit

Revenue sharing is a major factor contributing to the anticipated full-employment deficit in the Federal budget for fiscal 1973. According to recent congressional testimony by administration officials, if outlays on the unified budget basis are held to the $250 billion ceiling proposed by the President, the full-employment deficit in fiscal 1973 will total $4.5 billion (unified budget basis). Since revenue sharing is expected to add over $8 billion to fiscal 1973 outlays, the projected full-employed budget positions in the absence of revenue sharing would be a surplus of about $3½ billion.

The fiscal impact of the projected Federal full-employment deficit is dependent on how States and localities use revenue sharing funds. To the extent that these governments spend the new Funds, reduce existing taxes, or defer tax increases otherwise planned, revenue sharing will have an expansionary impact on the economy in line with

Table 1.—Fiscal Position of State and Local Governments (NIA Basis)

[Billions of dollars; quarterly data seasonally adjusted at annual rates]

	1946–53 (avg.)	1954–61 (avg.)	1962–66 (avg.)	1967	1968	1969	1970	1971	1972	
									I	II
Surplus or deficit (−), NIA basis	0.1	−1.0	1.2	−1.6	−0.3	0.7	2.8	4.8	7.1	14.8
Surplus, social insurance funds	.6	1.7	3.1	4.4	5.0	5.7	6.5	7.5	[E] 8.1	[E] 8.4
Surplus or deficit all other funds	−.5	−2.7	−1.9	−5.9	−5.3	−5.0	−3.7	−2.7	[E] −1.0	[E] 6.4

[E] Estimate.

Reprinted from Survey of Current Business, Oct. 1972, Vol. 52, No. 10
A United States Department of Commerce Publication

its impact on the Federal full-employment deficit. However, to the extent that State and local governments use the revenue sharing funds to retire existing debt, or to invest in financial assets, they may well offset the fiscal stimulus implied by the Federal full-employment deficit.

Recent fiscal shifts

Large budget surpluses for all State and local governments combined represent a considerable departure from the past. Between World War II and 1969, the State and local fiscal position on the NIA basis has been in the range between plus and minus $2 billion every year except 1958. In the 1960's, there was no improvement in the budget position even though Federal aid increased sharply. For the years 1960–69, the average annual State-local surplus was only $0.5 billion.

The recent improvement can be attributed to strong growth of receipts coupled with moderate expenditure increases. On the receipts side, Federal grants have continued to grow, and State-local receipts from their own sources have also increased rapidly. With respect to the latter, these governments have (1) expanded their tax sources (especially new personal and corporate income taxes which are particularly responsive to economic growth); (2) increased tax rates on existing sales and income taxes; and (3) obtained more funds from nontax sources, such as charges at public hospitals and tuition payments to public educational institutions.

The moderate growth rate of expenditures has been chiefly a result of the relative stagnation in construction activities. Despite very sharp short-term increases and decreases, overall growth of construction outlays in the past four years has been very slow. In particular, school construction has declined every year since 1968. Demographic changes and voter reluctance to approve school bond issues have both contributed to this trend. High interest rates were also a factor during the tight money period of 1969–70, but interest rates have declined sharply since that time and no longer appear a deterrent to increased capital spending.

Huge surpluses unlikely

Although the fiscal outlook for State and local governments is brightening, there are reasons to believe that the extremely large surpluses suggested for the longer run by some recent studies may not be realized. Expenditure growth is likely to pick up and the growth of receipts other than from revenue sharing may be slowed.

Expenditures should accelerate, not only due to revenue sharing but also because liquidity positions of State-local governments, which were run down during the credit squeeze of 1969–70, have been largely rebuilt. With the restoration of normal liquidity positions, public construction activities should strengthen. There is no evidence that this pickup has occurred as yet; June construction outlays were the lowest since early 1970. State-local pay levels may also be raised; the rapid growth of unions in the public sector is likely to be a contributing factor.

Over the longer run, the growth rate of receipts may slacken. It is unlikely that State income tax growth will continue at the recent pace. Also, local property taxes (which still represent a quarter of all State and local receipts), traditionally the primary source of funds for education, are under increasing pressure from both the courts and the voting public. Third, revenue sharing itself, together with restrictions on other Federal expenditures, may well stimulate reduction of other Federal grants to State and local governments, or restrict their growth.

CORRECTIONS

Omnibus Corrections Reform Act: chapter 777, 1972: a Correctional Reform Act:

A correctional reform act was prepared by a Task Force of the Joint Correctional Planning Commission and was filed in the Massachusetts Legislature on February 9, 1972. The original version was criticized by Legislators on grounds that it covered many areas which did not require new legislative authority. Following meetings with the Senate President, Speaker of the House and the Joint Committee on Social Welfare the bill was subsequently amended to reflect these objections; all matters which the Commissioner of Correction now has sufficient authority to implement were eliminated. Also, the provisions to transfer parole officers to the Department of Corrections and to pay inmates a minimum wage were deleted. The following is a summary of this legislation which was prepared by the Department of Correction.

Chap. 777 seeks to help Massachusetts correctional agencies protect citizens from crime more effectively. The bill changes corrections laws in five areas: administration, community services, employment programs, security and state-county relations. Its central purpose is to improve the custody and rehabilitation of offenders and to prepare them more effectively for their reintegration into the community.

Administration

The bill revises the powers and duties of the Commissioner of Correction. It provides the Commissioner with the authority to establish and designate correctional facilities and clarifies his authority to contract with competent public and private entities for the purchase of services.

The bill creates the position of Deputy Commissioner for Community Services. He will plan and develop community programs in coordination with the Parole Board and supervise and direct Department of Corrections employees working in community-based correctional programs. It authorizes the Parole Board to hire an attorney and an excecutive secretary thereby strengthening its decision-making role and its ability to bring Parole Board expertise to bear on the planning and development of community programs.

Other provisions of the bill which help to improve corrections management include introduction of administrative procedures for rulemaking and expanded training provisions for correctional officers and employees. The bill broadens the range of training, provides for pre-service training and allows for the possibility of state-county agreements for training.

Community services

To enable the sound development of community-based correctional programs to meet the pre-release and post-release rehabilitation needs of offenders, the bill allows the Commissioner to establish some education, training, and employment programs outside of correctional facilities. Inmates now excluded from work release could be eligible to participate in such programs but only on special joint approval by the Superintendent and the Commissioner.

Employment Programs

In the area of offender employment, the bill makes four major changes. It clearly states that correctional employment programs are to be judged first by their training value, second by their relevance to the free employment market, and third by their profitability. The bill also permits appropriate deductions from inmate wages; for example, to defray expenses of incarceration, to pay court-ordered family support, and to reimburse local welfare departments. Third, the bill opens the private market, under certain conditions, to the goods and services produced in correctional industries. Fourth, the bill creates a Correctional Employment Fund, which will allow proceeds from employment programs to be used for operating expenses of the programs, including inmate wages.

Reprinted with permission from Achievements: Massachusetts Legislature 1971-1972, by Speaker David M. Bartley

Security

The bill strengthens security in two ways. It requires the Commissioner to make contingency plans with the Commissioner of Public Safety. It also doubles the maximum penalty for state inmates who escape from work release programs; it accomplishes this by repealing the present penalty (maximum: five years for men, one year for women), leaving those who escape from a work release program liable to the general escape penalty (maximum: ten years for men, two years for women).

State-County Relations

The provisions of the bill affecting state-county relationships consistently reflect two principles:

1. State take-over or any substantial state incursion into the operation of county facilities is neither feasible nor desirable.

2. The responsibility for operation and supervision of county programs should be clearly delineated.

The bill provides the Commissioner with regulatory powers and the duty to enforce minimum standards for all correctional facilities. The operational responsibility for county facilities continues to reside with county authorities.

The bill gives clear guidance as to the scope and content of regulations, outlines the process for promulgation of regulations, and provides for collaboration among state and county officials in setting standards and insuring compliance. The powers of county commissioners, city councilmen and other officials are otherwise unchanged by the bill.

Financial and Human Costs

Chap. 777 does not commit the Commonwealth to any significant expenditure of funds in the immediate future. The only cost directly associated with the bill is the salary of the new Deputy Commissioner for Community Services. Otherwise, any other costs there may be from the implementation of Ch. 777 will largely be borne by Federal funds. $510,000 in Law Enforcement Assistance Administration funds have already been committed to support the development of community-based correctional programs, pending the passage of this legislation.

The programs included in Ch. 777 are expected to help reduce some correctional costs. One important area of cost savings is that of capital outlay. Presently all institutions for male offenders are overcrowded. Population projections indicate that at least one new correctional institution will be needed in the immediate future at a cost of at least $7.5 million in capital outlay. This cost can be avoided with the development of the community-based correctional facilities provided for in this bill. Capital outlay costs could be avoided if these facilities were established on a contract basis; in any event, the capital outlay cost would be much less than for traditional facilities.

Some cost savings will also be derived from the work release program. Participants in this program will be paying such costs as room and board, support to families, taxes, and reimbursement to the Department of Public Welfare.

Most importantly, a significant savings will occur in financial and human costs associated with a reduction in recidivism which is expected to result from the implementation of programs under Ch. 777. In jurisdictions where these types of programs have been instituted the reduction in recidivism has been substantial.

Ch. 172 of 1972:

An Act expanding the eligibility of certain prisoners sentenced to life to serve part of their sentence at a prison camp.

Ch. 297 of 1972:

An Act requiring that applicants for appointment as correction officers shall be high school graduates or the equivalent.

Ch. 311 of 1972:

An Act providing for the appointment of school teachers in the Department of Correction. This measure will increase the opportunity for inmates to receive the education so many of them lack.

LIEUTENANT GOVERNOR ED REINECKE
Sacramento, California 95814
Excerpts of speech before
League of California Cities Meeting
Contact: Jerry Vorpahl
(916) 445-0680
10/18/72

FOR IMMEDIATE RELEASE

NO. 59

(Anaheim)
58-100-407-1140-4155 . . . These are signals all right, but they really should be considered warning signals which have absolutely no connection to a football game. These particular numbers represent only a portion of the classic problem of the multiplicity of governments which the citizens of our state face daily.

Most citizens have no idea of the numbers of units of government they support until they receive their annual property tax bill and even then many of us are not aware of what we are paying for.

The numbers I have just mentioned are a game. It's the "numbers game," the game nobody wins. Those numbers stand for the units of governments which we have in the State of California. We have 58 counties, 110 substate regional districts, 407 incorporated cities, 1,140 school districts and 4155 separate special districts. These governments are run by 18,000 officials elected to manage government.

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Let me add a few more numbers to the boiling pot...such as...this state has a population of 20,524,000...There are 250 state and federal boards and commissions, each of which can have some effect on local programs...Federal and state laws and regulations have been established for more than 100 different sets of sub-state administrative areas to deal with local jurisdictions...More than 1,400 federal grant-in-aid programs have been made available to citizens of the state and local governments and offer $40 million in grant funds. The estimated total cost of the more than 5,700 units of local governments in California has been placed at just over $14 billion annually. The service provided to the purchaser (the taxpayer) is substantially less.

What makes these figures even more frightening is the fact that they do not decrease, but seem to continue to grow each and every year and as a result will require more and more in the way of tax dollars...much of which must come from taxes on property.

If you were to sit down today and conscientiously design a system of local government which would provide needed public services, you would not construct the same system of government that we have now in California. What we have now is the result of accumulated demands for public services plus the ad hoc efforts to meet those demands. Californians demand a certain level of fire and police protection; they want proper lighting in their residential areas; people need water for home, industrial and farm use. Recreational facilities, libraries and marinas are asked for by the people. The list of public service demands goes on and on.

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Citizens are searching for protection of the environment in which they live; and for improvement of the living conditions in the inner cities. Other new demands will be made as people expand their needs for additional requirements which they consider part of the "good life" in California. What we have failed to realize or recognize, up to this point, is that with the establishment of each new level of government service in response to public demand...there must be the readiness and willingness to spend the funds needed to pay the cost of new government structures. And that cost does not come cheap. Those of you who have the responsibility for management of local governments are well aware of the dramatic increase in the cost of providing the services which your constituants demand.

A corollary problem is the difficulty of educating the public and communicating to them the complexity of the issues with which you must deal in administering the services which they demand. As you know, voter participation in city, county and school and special elections is considerably lower than participation in state and national elections.

The Governor and I have always felt that government governs best when it is closest to the people and when the people have the opportunity to see what is going on and have a chance to influence those decisions at the local level. The record of voter participation in these elections, however, indicate many citizens have a great deal of difficulty in understanding what goes on at the local level. Often, citizens are not even aware some of these local governments exist.

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Anonymity, whether by design, or stroke of luck, seems to be the formula for long life by many of our local governments including special districts. We need to know more about the ways in which citizens are either offered opportunities to become involved or else, perhaps, are denied access to the local government decision making process. We need to know the history of citizen participation through the election process in order to find better ways in which to stimulate more popular interest in local government in the future. Your Council is the appropriate state agency to deal with this problem.

The increasing demands made upon cities, counties and special districts for public services is bound to require an increase in public employment. The CIR conducted a survey last year throughout the state and produced a report that predicted that 45,000 additional administrators, professional, and technical personnel will be needed by local entities by the year 1975.

The survey was a collection of employment projections provided by the local units themselves. They said that by 1975 there would be a need for more than 10,000 new employees in health services, nearly 9,000 new policemen, and over 7,000 employees who could deal with welfare problems, plus many others in a variety of skills.

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In addition, new employees will be needed to deal with the problems of pollution control, urban planning, housing, communication, race and minority problems and human relations development.

The Council on Intergovernmental Relations should work closely with educational institutions to insure an appropriate coordination of their curriculum programs and the future needs for manpower by local governments. By better manpower development we might be able to hold the line on increased numbers. The Council should also work closely with educational institutions to insure that their curriculum adequately prepares their graduates to be interested and concerned citizens of all levels of government.

You are all aware of the remarks which the Governor made recently on the matter of reforming local government in order to provide the citizen a greater opportunity for participation in the political process and to make local activities more visible to the citizens who must pay for them. The Governor has announced his intention of making local government reform one of his high priority efforts for immediate action. He has asked me to be chairman of the Steering Committee, of the Task Force for Local Government reform and to request the leadership of the Council on Intergovernmental Relations in this effort. I want to request you to move forward to implement various aspects of the public service reallocation study, which you have already accomplished, and to develop through public hearings and other research a new and innovative approach toward local government reform within California. Your Council can play a key role by maintaining constant contact

The question to which the Task Force will address itself will include but not be limited to:

Redrawing county boundaries

Consolidation of government units

Elimination of government units

Reassigning revenue sources to other levels of government

Reevaluation of methods of school finance

Reevaluation of methods of other governmental finances

Real equity of present tax programs means to handle regional problems without forming another level of government

Examination of equal rights under the 14th amendment

Extention of Serrano to services other than education

Appropriate conduit for direct federal-local programs

Simplification of information systems

Uniformity of information systems and language for cost reduction without compromising confidentiality

Proposals for methods of handling new problems without formation of new regimes of government

Methods of information exchange to eliminate duplication of studies by equal levels of government

Examination of new management methods to include uniform systems for comparison of performance

The Governor and the Cabinet have been closely studying the work which the CIR has done in the area of the reallocation of public service responsibilities and it is our hope that we can build upon this initial effort in order to develop a comprehensive program of local government reform.

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It is very appropriate that you are here at the League of California Cities meeting to launch the first hearing and to receive comments from city officials on this proposed reform. Involvement of the local government official in this whole process is essential to the success of the Governor's program. There must be a continuing conversation between all major groups of local officials and the members of your Council and your staff.

The Governor and I are especially concerned that the CIR serve as the principle conduit for new and creative ideas that should be studied in this entire project.

Because of your experience and knowledge of this area, the Governor and I are looking to you for leadership. The problem of local governments within California are really the problems of this State's citizens. We are looking to you for innovative and substantial recommendations for change. The challenge which confronts the members of the Council on Intergovernmental Relations is to discover a solution for the problem of the multiplicity of government and to insure greater opportunities for citizens' participation and understanding of the governmental process

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1-23-1973

VOL. CLXXXI NO. 16 ★

A Clean Slate

Some Suspects Now Sent to Work or Class Instead of to Trial

'Pretrial Diversion' Concept, An Alternative to Jail, Lets People Off Without Record

1/23/73

An Ex-Convict Talks Tough

By LIZ ROMAN GALLESE
Staff Reporter of THE WALL STREET JOURNAL

BOSTON — Pat Greene lost control of his Volkswagen on a hot night last June. It leapt a curb and narrowly missed hitting two policemen's wives. Their husbands, already irate with the antics of local teen-agers, promptly hauled him to the local police station and booked him on charges of dangerous driving and assault and battery.

Frightened and angry after a night in jail, 19-year-old Pat was convinced he'd be tried, convicted and sent to prison. He wasn't. He never even got to trial.

Instead, an organization called Boston Court Resources Project stepped in and made him an offer he couldn't refuse. The project got him a job in a gas station and gave him counseling and remedial reading work. Later, he re-enrolled in high school. After 90 days, his arrest was erased from his record. He hasn't been in trouble since.

Pat Greene was a beneficiary of a new alternative to traditional trial and punishment called pretrial diversion. As administered by groups like Boston Court Resources Project, it consists of selecting good prospects for voluntary rehabilitation and in effect putting them on probation before they go to trial. If they successfully complete their probation, they're spared the ordeal of a prison term and the stigma of a prison record. If they go astray during their diversion period, they can always be called to trial for their original offense.

A Dozen Programs

Courts have long provided alternatives to trial and imprisonment for persons such as the mentally retarded. Now, the concept is gaining broader appeal. "There's a tremendous stream of interest building around alternatives to sentencing," says James Meeker, staff director of the Senate subcommittee on national penitentiaries. Sen. Quentin Burdick (D., N.D.), chairman of the subcommittee, this month will refile a bill providing funds for programs like the one in Boston. (The original bill died when Congress adjourned last year.)

From a pair of pilot projects founded in 1967 in New York and Washington, pretrial diversion has grown to encompass a dozen programs in major cities around the country. Another dozen more specialized projects have sprung up to treat juveniles or drug offenders. Most are financed by one or more federal agencies, though a few draw on state, city or private monies.

Though these programs aren't yet very large, together "graduating" no more than a few thousand persons a year, their importance is insisted upon by many who feel prisons are failing in their function—that, in fact, prisons produce criminals instead of rehabilitating them. "We (judges) don't want to commit kids who haven't yet become criminals," says Franklin N. Flaschner, chief justice of the district courts of Massachusetts. "Most of us have thrown up our hands at the prison system as a rehabilitative tool." Judge Flaschner calls the Boston program "a model example of early or classical probation, a working partnership between the courts and outside resources of rehabilitation."

The Department of Labor, which provides funds for many pretrial diversion programs, reports that 65% to 70% of the "clients" in these programs have the charges against them dropped. The department says that in one program it studied, 17% of these successful "clients" were arrested again within 12 months, compared with 34% of a control group that had been sent to prison.

Cheaper Than Prison

Not everyone looks on these programs so favorably, of course. Some judges refuse to release any offenders to pretrial diversion programs. Some critics, too, feel any program will look good if it limits itself to "clients" who are highly motivated to straighten out their own lives.

Pretrial diversion is unquestionably cheaper than prison. The Department of Labor says the programs it supports cost about $1,000 per man for a three-month stint, compared with about $1,500 to keep a man in prison for the same amount of time. Penologists say the real savings are considerably greater, because that $1,500 figure doesn't include the costs of processing a man through the courts and providing welfare or social services to his family, nor the loss of tax revenue from jobs he might have held if not imprisoned.

Typical of most pretrial diversion services, the Boston plan operates like an independent probation service. It scouts six district courts for potential clients. Most are young first offenders charged with such crimes as car theft or mugging or breaking and entering. When workers think they can help such an offender, they obtain permission from the court, then look to see if the offender can be motivated to join and complete the diversion program.

The talking, and all dealing with clients, is done by ex-convicts known as "advocates." "No one can talk to a kid in trouble as effectively," says Judge Flaschner. "An ex-convict can say he understands, mean it and be able to demonstrate it with his own case."

"You're Full of It"

One such man is Tom Childs, a burly, tough-talking advocate supervisor who has spent 17 of his 31 years behind bars. Confronting Mark, a 19-year-old charged with possessing a burglar tool, he asks why the youth wants to enroll:

"I'm poor, man," comes the response. "I come from poverty. I heard this is a real good program that can help me."

"You're full of it, Mark," snaps Mr. Childs. "Let's start again. Why do you want to come into the program?"

"Because I don't want to go to jail."

Mr. Childs admits that's an honest reason, but he asks, "Then why didn't you make orien-

Please Turn to Page 31, Column 3

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Information Bulletin

Advisory Commission on Intergovernmental Relations Washington, D. C. 20575

Admin of Justice

Bulletin No. 73-1 January 1973

TWO STATE CRIMINAL JUSTICE BILLS

IN BRIEF

Two areas of criminal justice reform needing State legislative attention are tort liability for police and legislative oversight of law enforcement and criminal justice programs. ACIR, in cooperation with the International Association of Chiefs of Police and the Council of State Governments, makes available two bills to meet these needs outlined in the 1971 report, *State-Local Relations in the Criminal Justice System*. The bills, with explanatory matter, are attached.

States should enact comprehensive tort liability statutes for police employees at State and local levels and should establish joint legislative committees on the improvement of law enforcement and criminal justice. These two recommendations were among the 44 policy positions taken by the Advisory Commission on Intergovernmental Relations in its 1971 report, *State-Local Relations in the Criminal Justice System* (A-38).

ACIR staff has prepared draft State legislation to implement these two recommendations. The tort liability act was drafted with the help of the International Association of Chiefs of Police (IACP). Both acts have been published by the Council of State Governments (CSG) in the 1973 volume of *Suggested State Legislation*.

Tort Liability

The police function, almost by definition, necessitates the use of discretionary powers. In the course of a day's work, a police officer must decide many times whether to arrest, to search, to detain and to interrogate.

When these powers are used legitimately, the police officer should be entitled to protection from tort actions. When these powers are mis-

used, the citizen should be able to collect for damages to person and property.

Once, all governments were immune from tort actions. But in the last several years, States have taken legislative action to waive governmental immunity in many instances. Twenty-four States completely waive the immunity of the State and its local governments, another 10 waive immunity for the State alone and 16 eliminate it for local governments only. However, in very few instances does this legislation cover the kinds of actions of which law enforcement officers might be accused, such as assault, battery, false arrest, false imprisonment, malicious prosecution, abuse of process, libel, or slander.

Early in 1972, Nebraska enacted a comprehensive tort liability statute that specifically covered the actions of police officers. This was the only State to do so, according to IACP information.

ACIR urged this kind of legislation in the criminal justice report, noting:

"Tort liability legislation also retains public confidence in the integrity of the police function. Such legislation assures the public that it will be compensated for damages that might arise out of use of discretionary police powers. It also may increase the effectiveness of police use of discretionary powers -- a fact that should insure a more efficient and responsible State-local police system. The Commission hastens to add that policemen, of course, still would be liable for intentional abuse of their discretionary powers. Properly drafted tort liability legislation would see to that."

The draft of "Governmental Tort Liability for Law Enforcement Actions" is attached, along with explanatory material and a section-by-section analysis.

Joint Legislative Committee

ACIR's criminal justice report explained the need for a joint standing committee on the improvement of law enforcement and criminal justice:

"The Commission recommends that State legislatures establish joint standing committees or take other appropriate measures to analyze the progress that is being made in achieving a more coordinated criminal justice system. The State criminal code, regulations affecting court organization and procedures, and legislation dealing with correctional alternatives are but a few instances of legislative impact on the process. Given this degree of control over criminal justice operations, it is time that State legislatures take a continuing, comprehensive look at the operation of the system. Indeed, with the recent amendments to the Safe Streets Act relating to State 'buying in,' State legislatures more than ever before, will need to insure that State funds and Federal aid are creating a more coordinated criminal justice system."

Attached is a draft concurrent resolution to establish such a joint legislative committee.

Related Criminal Justice Bills

The Commission staff has drafted State legislation to implement its other recommendations in all phases of criminal justice. They are published in "action packets" on police reform (seven draft measures); court reform (a judicial constitutional article and Omnibus Judicial Act); prosecution reform (Omnibus Prosecution Act); and corrections reform (State Department of Correction Act). The action packets are available on request from ACIR, 726 Jackson Place, N.W., Washington, D.C. 20575.

GOVERNMENTAL TORT LIABILITY FOR LAW ENFORCEMENT ACTIONS

Over the past several years the doctrine of governmental immunity for torts committed by state and local police officers has been undergoing a steady erosion. Courts and legislatures have taken the position that governmental entities should compensate persons injured as a result of wrongful acts committed by their officers, employees, and agents in the performance of governmental functions. It has also been recognized that, although the officer, employee, or agent may be personally liable to the person injured, any judgment obtained by the injured party is likely to be uncollectible.

Twenty-four states have adopted legislation completely or partially waiving the immunity of the state and its units of local government. Another 10 have waived immunity for the state only, while 16 have eliminated immunity for local governments only. But many of these states have legislation specifying that immunity still applies to claims arising from cases of assault, battery, false arrest, false imprisonment, malicious prosecution, abuse of process, libel or slander, and for claims arising from the performance of – or failure to perform – a discretionary act, whether or not the discretion was abused. Still others have legislation that waives immunity only for injuries caused by motor vehicles or by negligent – as opposed to intentional or willful – conduct.

Thus, law enforcement officers in many cases remain largely unprotected. The actions for which they later may be held personally liable usually are intentional, based on instant judgments made in times of stress, and are likely to involve the types of torts for which governmental immunity has not been waived in many jurisdictions. Effective law enforcement requires police officers who are free to perform their duties without fear that the financial security of their families will be jeopardized.

There is a need for comprehensive tort liability legislation to protect the law enforcement officer against liability for his honest errors in judgment and to enable the citizen to collect for damages to person and property that may arise from the use of police discretionary powers. Police tort liability legislation should also provide a way to compensate the citizen for damages caused by an errant police officer who willfully and maliciously abuses his power, while making the officer personally liable for the consequences of his actions. This sort of legislation will help to raise public confidence in the law enforcement process and, in the long run, should generate greater cooperation with the police.

Of all the states, only Nebraska has legislation (adopted early in 1972) that specifically performs much the same functions as does the proposed bill.

The suggested legislation is divided into seven sections.

Sections 1 and 2 set forth the basic purpose and definitions of the legislation.

Section 3 renders the state and its units of local government liable in those cases where a law enforcement officer would otherwise be liable.

Section 4, which is optional, provides a suggested administrative procedure for receiving and processing of claims by the state and its units of local government and requires the filing of a claim under that procedure as a condition preceding the right to file a civil suit.

Section 5 limits governmental liability according to a statutory maximum or insurance policy limit and makes the officer personally liable for the portion of any judgment that exceeds that limit or results from malicious abuse of his powers.

Section 6 provides full immunity to officers when the claim is less than the statutory maximum or policy limit.

Section 7 authorizes state and local governments to purchase insurance covering their officers, provides optional language in case the state elects to act as a self-insurer or to purchase a statewide policy covering both state and local officers, allows for bonding or insuring of special officers, and establishes the mode of payment of claims.

The draft statute is a model developed in cooperation with the International Association of Chiefs of Police and is based, in part, on the Federal Tort Claims Act and on the codes of Hawaii, chapter 662 et seq., and Idaho, chapter 9, section 6-901 et seq. Section 5(b) of the proposed bill is based on legislation in effect in a number of states, including Minnesota, Oklahoma, Idaho, Kansas and Utah.

Suggested Legislation

[Title should conform to state requirements. The following is a suggestion: "An act waiving governmental tort immunity for certain acts of law enforcement officers."]

1 *Section 1. Purpose.* The purpose of this act is to protect state and local law enforce-
2 ment officers from personal liability arising from acts committed during the performance of
3 their activities, in the conduct of their office, or within the scope of their employment, and
4 to compensate the individuals harmed by these actions.

5 *Section 2. Definitions.* As used in this act:

6 (1) "Law enforcement officer" means any employee of this state or any of its units of
7 local government who is authorized or required to enforce some or all of the criminal statutes
8 of this state or local penal ordinances or resolutions.

9 (2) "Employee" includes any officer, special officer, agent, or servant of this state or
10 any of its units of local government, whether elected or appointed, serving with or without
11 compensation and whether temporarily or permanently employed, and any other person lawfully
12 summoned to assist an employee.

13 (3) "Claim" means any alleged or actual legal liability arising from any act committed
14 or duty omitted by a law enforcement officer during the performance of his activities, in the
15 conduct of his office, or within the scope of his employment.

16 *Section 3. Assumption of Liability.* This state and any and all of its units of local

1 government waive any governmental immunity from suit or other liability for any claim as
2 defined in this act and assume liability for the claim under circumstances in which a law
3 enforcement officer would otherwise be personally liable for a claim, to the extent provided
4 in this act.

5 [*Section 4. Procedure for Filing Claims (Optional).*[1]

6 [(a) All claims arising under this act must be filed with the [secretary of state] if the
7 claim is against the state, or with the [clerk] [official designated for that purpose by the
8 governing body] of the appropriate unit of local government if the claim is against that unit
9 of local government, within [90] days after the act or omission giving rise to the claim
10 occurred or reasonably should have been discovered, whichever is later.

11 [(b) All claims filed with the state or unit of local government shall set forth accurately
12 and completely the acts and circumstances giving rise to the claim, describe the injury or
13 damage and the time and place of its occurrence, cite the names and addresses of participants
14 and witnesses, if known, and state the nature and amount of damages sought. If the claimant
15 is incapacitated from filing his claim within the prescribed time limit or if the claimant is a
16 minor or non-resident of this state or necessarily absent during the prescribed filing time, the
17 claim may be filed on behalf of the claimant by any relative, attorney, or agent representing
18 the claimant.

19 [(c) Within [10] days after the filing of a claim under section 4 (a) of this act, the
20 [secretary of state] or the [appropriate official] of the unit of local government, shall refer
21 the claim to the attorney general of this state if it is against the state or to the legal officer
22 of the unit of local government if it is against the unit of local government.

23 [(d) Upon receipt of the claim the attorney general or appropriate local legal officer shall
24 cause it to be investigated and, subject to the provisions of any applicable policy of liability
25 insurance, may recommend a compromise, settlement, or denial of the claim. The recommenda-
26 tion of the attorney general or local legal officer shall be referred to the state or local agency
27 involved for its concurrence prior to settlement.

28 [(e) After a recommendation for compromise, settlement, or denial of a claim has been
29 agreed upon, the recommendation shall be transmitted to the appropriate governing body, agency,
30 or employer for final action.

1. Some states may wish to eliminate entirely the administrative claims procedure provided in section 4, leaving all claims to be filed directly in court. Others may wish to adopt the procedure for the state government and leave the administrative details of handling local claims to the discretion of the local units of government.

[(f) If after [90] days from the filing of a claim under this act, the state or unit of local government has failed to approve or has denied the claim, the claimant may institute a civil action in any court of competent jurisdiction in this state.

[(g) No claim may be allowed by any court of this state unless it has been filed within the prescribed time limits.

[(h) No action on a claim may be initiated against this state or any of its units of local government or any law enforcement officer after the expiration of [two years] from the date of the occurrence giving rise to the cause of action.

[(i) If the state or unit of local government agrees to settle or compromise a claim, or, subject to the approval of the state or unit of local government, its insurer so agrees and the claimant accepts the offer, the claimant shall execute a release which constitutes a complete bar to any future actions instituted by the claimant arising out of the same subject matter as the claim.

[(j) If the claimant is a minor, the settlement and release are subject to approval by a court of competent jurisdiction.]

Section 5. Limitation of Amount of Damages of State or Unit of Local Government.

(a) The liability of this state or any of its units of local government for a claim recognized in this act is limited to [$25,000] if the claim is one for a wrongful death, [$50,000] in the case of any other claim or claims brought by any one claimant, and [$300,000] for any number of claims by numerous claimants arising out of the same occurrence or subject matter.[2]

(b) The liability of the state or a unit of local government for a claim recognized in this act may exceed the maximum amounts herein specified to the extent of the maximum coverage available in a policy of insurance if a policy was in force at the time the liability was incurred.

(c) A law enforcement officer is personally liable for the amount of any judgment rendered in excess of the maximum liability that may be imposed on the state or a unit of local government.

(d) A law enforcement officer is personally liable to the state or unit of local government for the reimbursement of any civil judgment rendered against the state or a unit of local government caused by the intentional and malicious abuse of his discretionary powers.

2. Some states may wish to establish a graduated scale of liability limits according to the size of jurisdiction.

1 *Section 6. Immunity of Officers.* No claim may be brought against a law enforcement
2 officer unless the amount of damages sought exceeds the maximum liability that may be
3 imposed on this state or any of its units of local government and the state or unit of local
4 government also is made a party defendant to the action in the manner described in this act.
5 *Section 7. Insurance; Payment of Claims and Judgements.*[3]
6 [(a) The [appropriate state agency] may purchase insurance to protect the state from
7 liability as provided by this act. Premiums for insurance protecting the state shall be paid
8 from the annual appropriation of the agency.]
9 [(a) Any claim or judgment arising under this act affecting state law enforcement
10 officers shall be paid from funds appropriated by the legislature to the [appropriate state
11 agency].]
12 (b) The units of local government of this state may purchase insurance against liability
13 as provided in this act.
14 (1) Premiums for insurance protecting local law enforcement agencies shall be paid by
15 [the state] [the unit of local government concerned, in the manner prescribed by its governing
16 body].
17 (2) If insurance has not been obtained by or provided for a unit of local government,
18 any claim or judgment arising under this act shall be paid from funds appropriated for this
19 purpose by the local governing body.
20 (c) This state [or any of its units of local government] may require any person
21 specially commissioned or deputized as a law enforcement officer under its jurisdiction and
22 who is not compensated from public funds to post an indemnity bond secured by a licensed
23 carrier or a policy of professional liability insurance with the same limits of liability imposed
24 by this act, or to tender a sum equal to the amount of premium required to cover the
25 specially commissioned or deputized law enforcement officers in any policy obtained by the
26 state or unit of local government, whichever is the case.
27 (d) When any claim is prosecuted in any court of this state as a civil cause of action,
28 the court may award a reasonable attorney's fee and costs to the party prevailing.
29 *Section 8. Separability.* [Insert separability clause.]
30 *Section 9. Effective date.* [Insert effective date clause.]

3. Alternative sections 7(a) are intended to give a state the options of purchasing insurance covering state law enforcement agencies and their officers or of acting as a self-insurer.

JOINT LEGISLATIVE COMMITTEE ON THE IMPROVEMENT OF LAW ENFORCEMENT AND CRIMINAL JUSTICE

To develop an effective state-local criminal justice system, the legislature should be an integral part of the planning process. State legislation has a profound effect on this process whether it deals with crime prevention, law enforcement, the criminal code, court organization and procedures, or corrections and treatment matters.

In spite of the interrelated objectives of the components of the criminal justice system, legislative committee jurisdiction over law enforcement and criminal justice matters in most States is split among several standing committees. There is no organizational structure within these legislatures that can give the kind of continuing and comprehensive review that embraces the total criminal justice system. Moreover, the significant amount of Federal dollars and State "buying in" funds now being spent on such programs calls for effective legislative oversight to insure coordination.

Some state legislatures may prefer to broaden the jurisdiction and responsibilities of existing standing committees, such as the House and Senate committees on the Judiciary, to accomplish the purpose of this resolution, rather than creating a new joint legislative oversight committee.

Concurrent Resolution *

"Providing for the Establishment of a Joint Legislative Committee on Improvement of Law Enforcement and Criminal Justice"

1 WHEREAS, the increasing incidence of crime presents a serious threat to the political, social,
2 and economic institutions of the State and local governments; and
3 There is a need to formulate and implement a State comprehensive criminal justice plan to
4 guide public policies and programs for achieving a coordinated criminal justice system; and
5 There also is a need for continuing overall review by the [legislature] of the comprehensive
6 State criminal justice plan and related functional plans; and
7 A joint legislative committee is a means of assuring continuing and systematic review and
8 study of the progress toward a comprehensive State criminal justice plan and providing the
9 framework within which relevant policies and programs may be evaluated;
10 NOW, THEREFORE, BE IT RESOLVED, by the [legislature] of the State of [ ],
11 that a joint legislative committee on the improvement of law enforcement and criminal justice is
12 created to: (1) receive the comprehensive State criminal justice plan from the State criminal

*Some states may find it more appropriate to enact the following in the form of a statute rather than a concurrent resolution.

1 justice planning agency and related functional plans from the planning agency and other State
2 agencies, and submit reports and recommendations thereon to the [legislature]; (2) review all
3 relevant proposed State legislation for conformance to the comprehensive criminal justice plan and
4 related functional plans, including but not limited to improvements in techniques, organization,
5 coordination and administration of police, court, prosecution, counsel for the indigent, correctional
6 and rehabilitation activities; (3) encourage cooperation and coordination of law enforcement and
7 criminal justice efforts between state and local jurisdictions and among local units of government;
8 (4) stimulate greater citizen involvement in crime reduction and promote better relationships
9 among law enforcement officials and members of the community; and (5) develop and introduce
10 legislation affecting the plan.

11 AND BE IT FURTHER RESOLVED, that the joint legislative committee on the improvement
12 of law enforcement and criminal justice shall consist of [ ] members, [ ] of whom shall be
13 members of the Senate to be appointed by the [president of the Senate], and [ ] of whom shall
14 be members of the [House of Representatives] to be appointed by the [Speaker of the House of
15 Representatives].

16 AND FURTHER, that any vacancy of the committee shall be filled by appointment by the
17 officer authorized to make the original appointment.

18 AND FURTHER, that the committee shall choose a chairman, a vice-chairman, and a
19 secretary from its membership, and may employ professional, clerical, stenographic, and other
20 assistants and fix their compensation. Members of the committee shall serve without compensation
21 but shall be reimbursed for any expenses incurred by them in the performance of their common
22 duties.

23 AND FURTHER, the committee may: (1) request from any department, division, board,
24 commission, or other agency of the State or any political subdivision of the State such information
25 and assistance as may be necessary for the committee's review of proposed legislation; (2) [sub-
26 poena] [request the appearance of] witnesses, take testimony, and [compel] [request] the
27 production of books, records, documents, papers, and other sources of information deemed by
28 the committee to be relevant to its investigation; [(3) have access to all books, records, documents,
29 and papers of any political subdivision of the State;] (4) exercise all powers and authority of other

1 standing committees of the [legislature]; and (5) sit anywhere within or without the State to
2 conduct the review herein described.

SOUTHERN REGIONAL COUNCIL
PROJECT ON THE ADMINISTRATION OF JUSTICE

THE NEW APPROACH TO POLICE-COMMUNITY RELATIONS

BY
JOHN O. BOONE
DIRECTOR, PROJECT ON THE ADMINISTRATION OF CRIMINAL JUSTICE

Speech made at the University of Oklahoma
Norman, Oklahoma

THE NEW APPROACH TO POLICE-COMMUNITY RELATIONS

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SOUTHERN REGIONAL COUNCIL

As long as there are in fact black communities, separate and distinct from white communities, there will be no appreciable respect for the law. Moral relations undergird moral codes and the ability of officials to administer the codes. In this connection, I do not see how in this world we can expect people to behave morally in some situations and wink at the immorality in others.

Consequently, as long as the church and religious institutions such as YMCA's endeavor to select those services that will be shared freely while withholding those that have a personal flavor from a large segment of society, the segment that is discriminated against will likewise select the rules of such a game that they will respect. Honesty, loyalty, cooperativeness, helpfulness, responsibility, and justice are essential aspects of moral behavior. In my opinion, if just one of these virtues is weakened in the application of the rules, all of them will be weakened. Consequently, injustice and dishonesty breed disloyalty and irresponsibility. Can a black man be expected to respect the ideals of one nation, indivisible, when he knows that a large majority of the nation's citizens cannot stand to live with him, play with him, worship with him? These are the hard decisions that the Commission presented to the nation.

If the law is designed to promote the welfare of both the individual and the larger social group and the rules must be mutually enhancing, it is the black man who is in trouble and fighting for

his life, since the law is white, invoked by a white majority that condones moral conduct in one area and winks at its violation in another that is designed to keep the undesirable in his place.

I acquired my image of a policeman from a small southern city cop named Bob Barrett. He was a trigger happy white southerner who was extremely harsh in the application of his power in the black community, except in one case. Most probably he was also punitive of poor whites, but their plight was invisible to me at that time. One black man carried a pistol under his belt and let it be known that all of the bullets were ear-marked for Bob Barrett. This black man was notorious for his accurate marksmanship. Bob Barrett, who had several notches on his gun, notably avoided a confrontation with the black man who carried the loaded gun. Harassment, brutality and flagrant discourtesies marked his treatment of other black residents, who responded to his efforts with anxiety and fear. It was often death for one who ventured out of "nigger town" after dark. Mr. Barrett was run out of this small city several years ago after he ran over a white woman while driving under the influence of liquor.

Bob Barrett's law was the gun used to keep the black man in his place. In order to protect himself, one black man took the law into his own hands.

I am sure there must have been other police officers in this small city of 8,000 persons, but is it strange that only the image of Bob Barrett remains in my mind?

A few weeks ago, I was privileged to visit Washington, D. C., when hordes of people camped in our Nation's Capitol, many of them expecting to get the attention of powerful men who believe they have the destiny of the world in their hands. And, while Solidarity Day was not so solid in several important aspects, the rallying cries were earnest, if disarrayed, and it was refreshing to observe slogans and mottoes calling for justice, peace, honesty and fair play. They defined the crucial need for a greater commitment by public figures directed toward those ideals of respect for human lives and for individual worth. Solidarity Day made visible these surges for human dignity. One group that appeared most impressively, wore a bold message reading simply, "I am a man," and it was not until I returned to Atlanta that I learned this was the idea, actually, for which Dr. Martin Luther King, Jr., had died. The men who proudly carried this message were garbage collectors from Memphis, Tennessee. Many other groups were also present pleading for justice, dignity and an equal chance for the poor and the black. It was significant that so many took the time to say I care about a standard of living for all Americans that guarantees the health and decency of all.

To be very, very frank with you -- and you are wasting your time if we cannot be frank -- until this is done, until no child's hunger goes unappeased, until no mother's sickness goes unattended, no one can earnestly expect the black man and the poor man to support a system which permits the black and the poor to receive treatment

different from the white and the well-off in all of our basic institutions. Looters, reasonably, were both black and white -- well-off and poor. One who would receive stolen goods is in a sense a looter and just as guilty of a crime as the actual thief. I know people who would not have dared to seek "hot" items a few years ago that are doing it today. It is reported that underground stores are thriving in some of our plagued cities. Could it be that the black market is becoming popular in the same manner that it does during all wars and states of violent disorders? Also, before looting became widespread, crime was supported by those who obey the law selectively according to their interest and seek illegal sex relations, gambling opportunity and narcotics. Could it be that acting out in this manner is a signal that something is wrong in the "personality" of society just as stealing, restlessness and tantrums -- indicate that something is wrong in the environment of a child? Inconsistent application of the rules breeds disrespect on all levels.

Primarily, in this paper, I want to talk about those circumstances that are now more supportive of crime than of law and order; those injustices that have besmirched the character of a large segment of our nation and generated a cauldron of hostility.

This acute situation calls for action now. This quandary involves the question which comes first, the chicken or the egg? Black men want justice and honesty now even if it is necessary to make use of the threats of violence. The white man requires law

and order now, and Congress recently passed legislation that will assist localities in boosting instruments of police control. There are many indications that problem management strategies will not include an earnest approach to the creation of support for law and order. It is obvious that decision makers favor financial support for police action rather than a serious program of prevention and correction.

One case in point is the designation of state level control of financial support for local programs. This will especially hinder police programs in the South. There are currently no statesmen in the political arena powerful enough to have an influence upon the direction in which we are moving. Senator Robert F. Kennedy was silenced. It seems that all decent Americans must depend upon such organizations as ACLU, NAACP, AND SCLC to take up the slack in the fight for equal justice under the law.

The black man is certain to continue the fight for his freedom and the fight for the salvation of his country by the most effective means possible. That this is to be done should be accepted by all who believe in democracy and the American ideal. Because it is true that killing a man does not kill his dream, I am optimistic that we shall over come -- we always have. If this were not true, our state today would be anarchistic. It is just too bad that there are no political figures on the scene today such as Thomas Jefferson, Abraham Lincoln, John F. Kennedy and Robert F. Kennedy, to appreciate how fundamentally relevant these problems are to the state of the union.

Yes, Negroes are in a dilemma over strategy, but this dilemma does not mean that the movement toward equality is ended. Black men have always made progress by sweating and bleeding every step of the way and there are no reasons to believe that he will not continue to proceed in this manner. He was urged to seek change by utilizing an enduring capacity to suffer, defending his oppressor with love and "soul power." This strategy might change. The messenger of love and enduring suffering is also silenced; his message is alive and we are going on, but how do we go from here? Conflicts are now very apparent in university circles, organized religion, NAACP, CORE, SNCC, SCLC, and even the Urban League is sending up smoke signals through its Executive Director, Whitney M. Young, Jr. Strategies will differ in the final analysis, but the objective of justice and honesty in public policy is fundamental in the philosophy of all of these organizations.

As for strategy, some will risk a state of martial law, suppression and widespread violent disorder in the pursuit of peace and prosperity; the other position would utilize non-violent tactics to achieve the same end.

The National Advisory Commission on Civil Disorders became aware of this dilemma, but what about the more powerful decision makers who are ignoring the urgency of the report? The Commission was impressed sufficiently by its findings to appreciate the gravity of the crises in the nation and decided to "tell it like it is." Furthermore, one can be sure that even as critical as the report

appeared, the actual situation is worse. The Commission concluded that our nation is moving toward two societies, one black, one white, separate and unequal. Left unsaid is the fact that the movement is toward two warring societies.

In my opinion, the Commission's observations concerning the police and the community contains the key to the solution of our problems of law and order. The police is the law personified. Behavior of the police is behavior of the law in the sight of a large segment of the population. I only wish I could be as confident in the value of the Commission's proposed remedies as I am in their diagnosis. The conclusion that the policeman in the community is a symbol not only of the law, but of the entire system of law enforcement and criminal justice is a crucial factor, superimposed over all of the other factors that were so well defined in the report, including those factors presented by Dr. Kenneth B. Clark concerning the socio-economic elements in our society that contribute to disrespect for law and order. [1] Poor people of all races are relegated to rural and urban ghettoes; subjected to criminally inferior education; committed to houses unfit for human habitation; subjected to unspeakably low levels of municipal services and in varying degrees discriminated against in the economic arena -- except where "freedom of choice" favors the white poor, who can rise up out of poverty and,

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[1] Kenneth B. Clark, Report of the National Advisory Commission on Civil Disorder, p. 300, Bantam Book.

because they are white, lose this identity and move about freely as they choose. No one can argue with the fact that the socio-economic factor in cities influences law enforcement practices toward the black and the poor, but given color as an added element double jeopardy prevails.

The mental and emotional frustration that results from the fear of the law and the lack of confidence that justice can prevail is just as much related to widespread disorder in urban environments as those physical deprivations that have affected the mental and emotional make up of black youth and hindered their ability to tolerate conditions in the ghettos. Consider the relevance of the following findings that are being tested in both North and South America today by Medical Researchers.

> "In my experience with families in the Delta -- some of whom I've known and observed for many years -- their kind of life can produce a chronic state of mind, a form of withdrawn, sullen behavior that the word "depression" only begins to describe. I have seen some of the families I know in the South go North and carry with them that state of mind; they get more food, more welfare money, and in the public hospitals of Northern cities certain minimal medical services -- but as one tape-records their expressed feelings and attributes month after month, as I am now doing in a Northern ghetto, one sees how persistently sickness and hunger in children live on in adults -- who doubt any offer, mistrust any goodness or favorable turn of events as temporary and ultimately unreliable. I fear that we have among us hundreds of thousands of people who have literally grown up to be and learned to be tired, fearful, anxious, suspicious, and (as a physical fact of life), in a very basic, inflexible and tragic sense, unbelieving." [2]

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[2] Hearings on Hunger and Malnutrition in America, Senate Committee on Labor and Public Affairs, July 11-12, 1967, p. 53.

I believe that this problem is acute today, not merely because one is poor and disadvantaged, but importantly -- because masses of people who are black and disadvantaged believe now that it is useless to ever expect justice to prevail. They are no longer willing blindly to support an unfair system of administering criminal justice. When burnings accompany disorders, middle class black people respond with polite platitudes when their personal environments seem to call for such response. In intimate circles, however, statements such as "why didn't they go farther downtown instead of burning their own stuff" are often the reaction.

The American policeman has comfortably pursued his legal responsibility, I am afraid, only when he has dealt with people who are not powerful politically and who are, in many senses, helpless. Perhaps I should say, were helpless and powerless, because the threat of violent destruction is resulting in some changes in police practices. It is unfortunate for change to come as a result of disorders, but, nothing else seems to be working. The loud noises of the riots are now heard by the powerful and interpreted as widely dangerous to health and safety. So, they are grudgingly considering changes in public policy, at least to the extent that they are willing to buy some "fly swatter programs." Use of DDT is still too extreme, too threatening of ideas, of sovereign rights.

We would have been ahead in the game had the umpire called foul the murders and injustices toward black people in the South years ago, and more recently the murders of black and white civil rights

workers, and not succumbed to do-nothing policies that accompany pleas for states rights and local autonomy. We would be ahead had we not winked at the unfairness of a system that sends the poor and black to prison -- and rewards bigots with economic and political success. These clear-cut indications of inequality and deprivation dramatize our plight, but they are soon forgotten. But, like a cancer, painless until the end, they now threaten to destroy our "social body."

In other terms, the tendency of law enforcement, judicial and correctional agencies to select black clients for unfair treatment has been quietly destroying the system for years. These practices have fostered distrust of the officials who administer the rules and devastating lack of faith in the entire system. In all games, when the rules are applied in an unfair manner, various types of disorder will emerge as a direct reaction. Likewise, the dishonesty that prevails in the agencies that enforce society's rules of order is generating widespread unfaithfulness among the persons that are exposed to unequal protection of the law.

The anger that causes bricks and bottles of fire to be hurled at law enforcement officers and other symbols of oppression develops the same manner as that anger which causes one to cry, "kill the umpire" and results in the tossing of beer cans and other available missiles in the direction of any one who is designated responsible for fair play. Black people are notoriously tolerant. They have been urged to keep the faith even by some of the most militant

leaders who are themselves victims of disparity and unequal treatment under the law. Even Rap Brown, who is considered lawless, is appealing his case within the framework. The question is raised, however, how much longer will the oppressed tolerate the widespread evidence of dishonesty and immorality? Therefore, what we wish to say in this paper, in the most concrete manner possible, is simply that dishonest decision making on the local, state and national levels is making people angry and producing anarchistic conditions that threaten to destroy our basic institutions.

Now the question is raised concerning the Commission's recommendations to enhance police-community relations.

Summarily, local governments were advised to review police operations in the ghetto particularly regarding conduct and abrasive practices of police officers; provide better police protection for ghetto residents in order to relieve them of their high sense of insecurity and pursue a single standard of law enforcement rather than the dual standard which is, in my opinion, the primary reason for disrespect of the law; establish effective mechanisms for the redress of grievances against municipal employees, especially police; adopt policy guidelines to assist officers in making critical decisions where poor judgment could create tension; stimulate development of innovative programs to insure community support for law enforcement; establish fair recruitment and promotion policies that will attract Negroes; and, establish a Community Service Officer Program.

The recommendations of the Commission were addressed to a dilemma that plagues all urban police departments. They are faced

with demands for increased protection and service in the ghetto. Yet, the aggressive patrol practices thought necessary to meet these demands themselves create tension and hostility. Grievances as a result of both poor police protection, police attitudes of over-protection, and ineffective mechanisms for redress are direct causes of poor police-community relations.

The recommendations are starting points, efforts to start where the problems are, but seemingly only expedient program ideas. The most positive thing that can be said is that the adoption of these programs may give us time more fully and frankly to define our problems. An examination of the police function should be next on the national agenda.

The Task Force on the Police of the President's Commission on Law Enforcement and the Administration of Justice devoted considerable attention to law enforcement policy and the police role. It was observed that law enforcement is especially difficult in a society such as ours that has so heterogeneous and mobile a population; that has so prosperous an economy; that has so high a degree of urbanization, with accompanying congestion and anonymity; and that places so high a value on individual freedom, upon equality under the law, and upon local control over the police power.

The group called for a rethinking of the function of the police in American society. Reassessment of the kinds of resources and support that the police need in order to respond to the demands that we make upon them. The police spend more time keeping order, settling

disputes, finding missing children, helping drunks than responding to criminal conduct.

The police role is especially pertinent as the administration of criminal justice, in the South especially, tends to select black people for the harsher aspects of control and punishment.

If the system of criminal justice truly reflects the value society places on the individual, citizens should be more alarmed about the nature of a justice that places a disproportionate number of black people and poor white people in prison than about crime. They should be shocked at how justice is meted out to black people in the Southern Region.

It seems that perhaps the law in the South has been used to sustain values that prevailed during the slave plantation era. Black people are property to be used as those who have the power desire. The law essentially provides cheap labor for public works and revenue for poorly administered local governments and keeps the black man "in his place." A few examples.

A few months ago, a high public official in Alabama observed that as long as one white woman and one black man remain in Alabama, the death sentence for rape will remain. It is no secret that, since 1930, more than 400 of the 465 men executed in the South for rape were black, although they represent less than 30% of the population. Randomly selected news reports of capitol sentences in the South reveal that it is the black man that get life and death. In such offenses where the offender is white and the victim is black, reports of conviction were rare. Punishment for whites found guilty of rape of a black victim amounted to little more than a rap on the knuckles.

In Atlanta, Georgia, heralded as a most progressive city, it was headline news nationally for an ex-convict to have received life for the murder of a 16-year-old boy which set off a riot. In the same city, a few months ago, a deal was made to give probation to a white man who had killed a Negro, because the white man was "old and sick."

The problem is probably as difficult as it is perceived by Ralph Ellison who said the problems exist because white people refuse to see the black. The following excerpt from "The Invisible Man" is highly relevant to our thesis.

> "One night as I accidentally bumped into a man, and perhaps because of the near darkness he saw me and called me an insulting name. I sprang at him, seized his coat lapels and demanded that he apologize. He was a tall blond man, and as my face came close to his he looked insolently out of his blue eyes and cursed me, his breath hot in my face as he struggled. I pulled his chin down sharp upon the crown of my head, butting him as I had seen the West Indians do, and I felt his flesh tear and the blood gush out, and I yelled, 'Apologize! Apologize!' But he continued to curse and struggle, and I butted him again and again until he went down heavily, on his knees, profusely bleeding. I kicked him repeatedly, in a frenzy because he still uttered insults though his lips were frothy with blood. Oh yes, I kicked him! And in my outrage I got out my knife and prepared to slit his throat, right there beneath the lamplight in the deserted street, holding him by the collar with one hand, and opening the knife with my teeth -- when it occurred to me that the man had not seen me, actually; that he, as far as he knew, was on the midst of a walking nightmare! I stopped the blade, slicing the air as I pushed him away, letting him fall back to the street. I stared at him hard as the lights of a car stabbed through the darkness. He lay there, moaning on the asphalt; a man almost killed by a phantom. It unnerved me. I was both disgusted and ashamed. I was like a drunken man myself, wavering about on weakened legs. Then I was amused. Something in this man's thick head had sprung out and beaten him within an inch of his life. I began to laugh at this crazy discovery. Would he have awakened at the point of death? Would Death himself have freed him for wakeful

> living? But I didn't linger. I ran away into the dark, laughing so hard I feared I might rupture myself. The next day I saw his picture in the Daily News, beneath a caption stating that he had been 'mugged.' Poor fool, poor blind fool, I thought with sincere compassion, mugged by an invisible man."

The suspicion, fear, and paranoia that is generated in the child -- black and white -- through disappointments and deprivations do not go away. They emerge at every stage of his growth and influence his human relations -- black and white -- resident or official -- in our plagued urban ghettos.

SRC PROJECT ON PENAL REFORM AND CRIMINAL REHABILITATION

INITIAL PROGRESS REPORT

The SRC Project on Penal Reform and Criminal Rehabilitation is designed to examine correctional policies and practices in the southern region and to support improvement of social welfare services and institutional prevention, treatment and training programs by means of sponsorships, technical advice, research and social action.

Staffing is complete since the services of Mr. William Farmar have been secured as Office Manager - Assistant.

Survey Report

The project's initial effort will take the form of a relatively brief, state-by-state survey on the current situation in Corrections in the South. This report, the research for which is being done by Dr. Vernon Fox of Florida State University, will examine the field in terms of: racial integration; official attitudes toward corrections in state and local penal systems; manpower requirements and utilization; comparative financial resources and expenditures; size, condition and efficiency of correctional facilities; industrial and farm operations; institutional treatment programs; custodial practices; institutional and system-wide classification procedures; parole board policies and practices; facilities for post-release care and guidance; disciplinary practices; patterns of recidivism, and trends toward staff professionalization.

The same type of analysis will be made of Police Departments and other law enforcement agencies, and, to a limited extent, the courts -- with a particular emphasis on policies and practices recently adopted to facilitate compliance with Escobedo and its companion Supreme Court decisions.

Data concerning these and other areas of interest will be obtained from official reports; new inquiries by Dr. Fox and staff; previously published material; observations by qualified persons interested in penal reform, and other relevant sources.

Before November 1, Dr. Fox and SRC staff members will correlate and evaluate this material and publish a Special SRC Report which will provide a comprehensive review of present conditions and prospects. It is hoped that this report will also serve as an effective springboard for the initiation and/or support of projects designed to bring about desirable changes.

A number of other projects are developing, and an Advisory Committee (list of participants attached), will be convened on October 20th at the Biltmore Hotel.

Other Projects

1. Research is planned on comparative sentencing policies in felony cases with particular emphasis on disparity in length of sentence attributable to race or socio-economic level.

2. The Arkansas Council on Human Relations, in conjunction with other organizations, has expressed an interest in starting action to improve their state's penal system. The present situation there is deplorable - as recently demonstrated by a strike of prisoners and occasions of officially sanctioned brutality. In one Arkansas prison, there are thirty-five civilian staff members to supervise more than three thousand prisoners.

3. Mr. Kenneth Dean, Director of the Mississippi Council on Human Relations, has indicated that there are a number of people in his state who have an abiding interest in penal reform. These people will be contacted and preliminary discussions, designed to foster this interest and support some action, will be begun in the near future.

4. Technical assistance to state prison systems is planned, especially in the areas of racial integration, establishment of classification systems and development of helping programs. Assistance will be available both from the Project Director and a panel of consultants.

5. Cooperation with and support of The Fellowship of the Concerned, who launched a program of visiting the courts in November, 1965. This federation of eighteen women's organizations, convened by Mrs. M. E. Tilly, is a vital force in the field of social welfare. After a recent meeting of the Georgia Unit of the Fellowship, Mrs. Tilly indicated that the women are determined to visit penal institutions as well as the courts. SRC staff will foster this interest and provide orientation and information which will assist the group in evaluating what they observe in courts and penal institutions.

6. In the wake of crisis situations culminating in the recent riotous demonstration, Atlanta needs to re-evaluate its social problems, especially delinquency among its youth. In view of this, many local agencies and institutions should be willing to invest time and money in

a demonstration project designed to facilitate the task of coping with our most crucial social problems. In this connection, SRC plans to convene a meeting, soon after the first of the year, involving representatives of many public and private agencies and institutions, to determine if there is a readiness to cooperate in a concerted effort in this direction. At the meeting, SRC staff will offer specific suggestions, and, should a specific project be decided upon, we will consider funding a separate research activity to evaluate the project.

7. Inasmuch as there is a great shortage of manpower in the field of corrections - and there are few Negroes in the field - we are interested in cooperating with universities in the southern region to recruit Negroes for professional correctional training, and to assist the universities in securing grants for developing curriculum and faculty in this field. There is also a need for interesting Negroes in employment in the field on a non-professional level. In this connection, a project involving high school and college guidance counselors might be appropriate.

8. We also hope to encourage cross-fertilization of ideas in correctional practice, probably through support of an inter-state staff exchange program.

9. In support of a wider dissemination of information about corrections among the general public, we hope to issue, in fact sheet or brochure form, separate state-by-state abstracts of our survey report. These abstracts will be presented in illustrated, easy-to-read form, and should serve as useful tools for organizations and individuals interested in penal reform.

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Preliminary observations through travel and correspondence would seem to indicate that, while there are many serious problems - including the continued commission of atrocities in some penal systems - the situation is somewhat more encouraging than anticipated.

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Personnel changes in the Arkansas Correctional System in the wake of the recent lashing publicity, while sadly belated and totally inadequate, nevertheless represent some small improvement.

Many top-level correctional administrators in the region privately reveal an unexpectedly progessive orientation. This leaves room for hope that state correctional systems will be willing to accept help and at least entertain suggestions for specific changes.

In sum, there is considerable reason to believe that this project, through the judicious extension of grants and technical assistance for specific projects; initiation and support of basic research in neglected areas; organization and encouragement of groups working for the passage of sound reform bills in state legislatures, and the wide dissemination of information about corrections and the processes of criminal law at meetings and through the mass communications media, can make a substantial contribution to the upgrading and increased humanization of all of the processes in which the criminal offender is involved, before, during and after imprisonment.

PROPOSED PARTICIPANTS FOR INITIAL SRC MEETING ON

PRISON REFORM AND CRIMINAL REHABILITATION PROJECT

Mr. McNeill Smith, Attorney at law
700 Jefferson Street Building
Greensboro, North Carolina

Mr. Joseph Haas, Attorney at law
1116 First National Bank Building
Atlanta, Georgia

Mr. Donald Hollowell, Attorney at law
859½ Hunter Street, S.W.
Atlanta, Georgia

Miss Barbara Jordan, Attorney at law
5303 Lyons Avenue
Houston, Texas

Mr. Sylvan Meyer, Editor
The Daily Times
Gainesville, Georgia

Dr. Hollis F. Price, President
LeMoyne College
Memphis, Tennessee

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3205 Arden Road, N.W.
Atlanta, Georgia

Mr. V. Lee Bounds, Director of Prisons
840 West Morgan Street
Raleigh, North Carolina

Mr. Richard Chappell
Institute of Government
University of Georgia
Athens, Georgia

Mr. George Randall, Administrator
Corrections Division
Oregon State Board of Control
Salem, Oregon 97310

Dr. E. Preston Sharpe, General Secretary
American Correctional Association
15th & H Streets, N.W.
Washington, D. C.

Mr. Myrl Alexander, Director
Federal Bureau of Prisons
101 Indiana Avenue, N.E.
Washington, D.C.

Mr. Ralph McGill, Publisher
The Atlanta Constitution
Atlanta, Georgia

Mr. Homer Benson, Member
United States Board of Parole
Washington, D. C.

Mr. Milton Rector, Executive Director
National Council on Crime & Delinquency
44 East 23 Street
New York, N. Y.

Mr. Christopher Edley
Ford Foundation
477 Madison Avenue
New York, New York

Mr. Burt Struby, General Manager *
Macon Telegraph & News
Macon, Georgia

Father Farrell, Chaplain
Howard University
Washington, D. C.

Mr. John Wheeler, President
Mechanics & Farmers Bank
Durham, North Carolina

Dr. Raymond M. Wheeler
1900 Brunswick Avenue
Charlotte, North Carolina

Mr. Ellis MacDougall, Director
South Carolina Department of Corrections
Columbia, South Carolina

Mr. Austin MacCormick
Osborne Association
114 E. 30th Street
New York, N. Y.

* Has indicated he will be unable to attend.

E.V.a
PENAL REFORM

SOUTHERN REGIONAL COUNCIL, INC.
PROJECT ON PENAL REFORM
& CRIMINAL REHABILITATION

Administration of Criminal Justice

Examination of the functional structures of correctional systems in the United States is analogous to a trip through Europe where, in traveling relatively short distances one may encounter many different languages, types of government, patterns of culture, and artifacts. In the Southern Region one finds penal systems which range from the enlightened to the reactionary from the progressive to the mediaeval from the humane to the brutal. Even within a single state one may observe, on one level, trends toward a system in accordance with the most progressive correctional philosophy, while, on another level, one finds hangovers from the days of degrading stripes and chains. In the same way, law enforcement agencies and the judicial process will invoke, selectively, both primitive and modern practices, the choice of treatment reflecting, in the main, the social characteristics of the community's officials and/or the economic resources of the offender.

The Project

It is particularly fortunate that, in an area which is almost exclusively the domain of public policy and administration, the Ford Foundation has provided an opportunity for a private agency to intervene and, perhaps, make a contribution toward advancing these crucial processes. Law enforcement agencies and correctional systems, as government agencies controlled by relatively rigid public policies, are understandably sensitive to the opinions of community groups. This tendency has often been demonstrated in the wake of exposed corruption and public disorder. As responsible arms of public policy, the systems are able to innovate only within the limits imposed by laws which govern their operations. A private agency that is not bound by official restrictions and the burden of tradition can offer assistance to correctional administrators and interested groups of citizens who desire to implement reforms, conduct pertinent research and institute programs designed to bring about construcitve change in governmental systems and new approaches to dealing with crime.

Advisory Committee

In order to develop a creditable three year program, reconciling philosophy and feasability as much as possible, we have convened a group of knowledgeable persons, broadly representative of society's institutions, who are acutely interested in the social task of coping with the problems presented by violations of societal mores.

The following propositions are submitted primarily to stimulate your thinking and give some direction to our meeting. They are not meant to imply that we are committed to carrying out any particular proposal, except for the initial survey that is already underway.

A. Southern Regional Council Special Report: The Prevention of Crime and Treatment of Offenders in the Southern Region (to be published this year.)

Include Local Jails Misdemeanants

Will be available in Pres. Comm. report

This will be a state-by-state survey report describing the current situation of crime prevention and corrections in the South. Dr. Vernon Fox and associates at Florida State University's Department of Criminology and Corrections and SRC staff members are assisting us in this publication. The report will describe: racial integration; philosophy of corrections; manpower utilization and needs; comparative financial resources and expenditures; physical plants and facilities, including farms and industrial operations; treatment programs, both community and institutional; classification systems; parole policies and practices; facilities for post-release assistance and community treatment centers; institutional populations and patterns of recidivism; nature of professional staffs. Similar analyses will be made of law enforcement agencies and courts, to a limited extent, to determine any new developments stemming from recent legislation and court decisions. The survey will be based on official reports and inquiries, other publications, and observations of authorities in the field.

The survey will provide both a vehicle for public education and a basis for the project's programs.

Public Education -

B. Research Conference: While no one can be certain that any particular research project will produce practically useful results, we would like to be sure, at least, that our projects will be pertinent to the problems of the Southern Region. Our means of providing this assurance would be to bring together a small group of academicians of the region, under the leadership of a nationally known social scientist, for the purpose of presenting papers and designing research that we could practically pursue. Such a conference would have the added advantage of providing a needed forum for ideas of regional rather than national interest. Such ideas are often neglected at more broadly based meetings. Another approach would be to select research without formally weighing its value relative to regional concerns, and some suggestions are proposed in this outline.

$200T fund study / 5yr project - Ga. has a interim legis. study committee

C. Other Research:

1. A study to determine whether underdeveloped correctional systems consistently make for a higher rate of recidivism than systems considered more progressive.

careful of lack of records or selectivity records -

2. Update comparative sentencing study done by SRC in 1954 - referring to both the Garfinkle and Foley studies. Each of these studies pointed to significant disparities between the nature of sentences for Negroes and white persons. Have these practices changed since the Supreme Court School Desegregation Decision in 1954?

3. A candid review of industry's attitudes toward the employment of persons with records of crime and delinquency. Is there a need for a more concerted public or private project to encourage industry to use this manpower more appropriately, somewhat in the manner of the "Hire the Handicapped" program?

4. Study how Negroes use correctional services. (Could be part of study of undeveloped systems.)

5. Study effectiveness of the North Carolina Plan (such a study may be already underway.)

6. Demonstration Project in an urban area, focused on crime and delinquency, and utilizing multi-method techniques involving public and private agencies and graduate schools. Such a project would be accompanied by a research and evaluation instrument.

7. Report on institutional visiting (prisons, jails, training schools, etc.) by small teams of women - utilizing a modified John Howard approach. This is in connection with a group of church women who have already requested us to provide orientation on penal practices, because they intend to visit the prisons in their various states. Our orientation efforts should be helpful both to the women and to correctional managers.

8. The procedures by which society deals with delinquent or criminal behavior are often themselves causative factors in later offenses. A study of the background and characteristics of men who have histories of Dyer Act violation (Interstate Transportation of a Stolen Motor Vehicle) should throw some light on this hypothesis.

D. Education and Consultative Programs:

1. Supportive work with human relations groups and the Fellowship of the Concerned, throughout the Southern Region, as they demonstrate interest in the administration of criminal justice.

2. Prepare legislative handbook, summarizing the codes under which corrections operates, state by state, and presenting accepted standards, such as those developed by the National Council on Crime and Delinquency or the American Correctional Association. This book will be distributed to public and private agencies, legislators, and interested groups.

3. Prepare booklet on the administration of criminal justice for use in public schools, in order to encourage wider

acceptance of this process as a normal function of social welfare. It has been proposed that this be done in co-operation with the Joint Commission on Correctional Manpower. (The approach would be to influence attitudes toward corrections as a career and as a helping agency.)

4. Consultation Service. Secure a panel of knowledgeable professional correctional workers and facilitate its use by systems in the region. Organizations and groups could secure our support through regional conferences and their own action groups. This program would provide for fees and expenses for consultants and technical advisors.

5. Technical Advice. As far as possible, the project staff would provide technical advice to correctional systems, law enforcement agencies and other official bodies concerning correctional procedures, training, and new programs and policies.

6. Would a Regional Conference on Racial Integration in Prisons provide significant support for state efforts in this area? While a policy of racial integration would require the repeal of restictive statutes in many states, a conference on the problems and processes of integration which are peculiar to correctional systems might serve to alleviate the anxiety of administrators concerning the effects of desegregation in their prisons. Would a sharing of experiences by those who have already effectuated integration be helpful? Another idea would involve an even larger conference, co-sponsored, perhaps, by such organizations as NCCE and ACA, for all interested managers without considering regional limitations.

7. Provision of resource material to public and private agencies, groups and individuals. For example, some Human Relations Councils will receive copies of Ferguson vs. Buchanan, which resulted in desegregation of the Dade County Jail. This will be used as the Councils urge

officials to begin to desegregate. Also, film and other aids would be used in this program.

8. Cross-fertilization of ideas and programs. This program would facilitate an exchange of top-level and middle management administrators of criminal justice in the Region. Properly implemented, such a program would encourage the spread of progressive correctional principles in day-to-day operations.

9. Recruitment of Negroes for correctional work. Studies reveal that very few Negroes are employed in correctional administration. (This could be an area for significant research.) Would schools and agencies be benefited by a private recruitment service?

10. Training for correctional work. How could a private agency assist in this endeavor?

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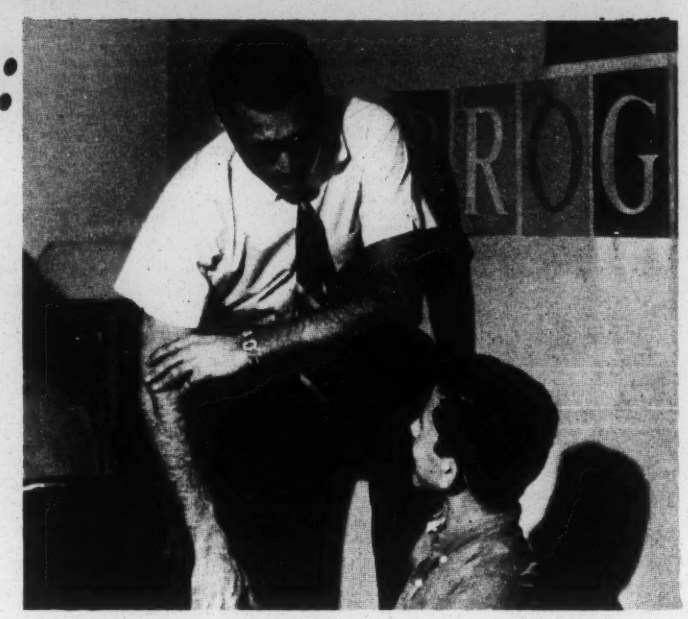
Administration of Justice

A Presidential report: union has role in prison reforms



By Tom Castor

The nation's crime rate is not going to be reduced until the country's correctional institutions have sufficient financial resources and personnel to rehabilitate rather than confine or harass those convicted of crime.

That is the conclusion reached by the President's Joint Commission on Correctional Manpower and Training after a three-year study in which it found that "salaries of correctional employees provide an index to the retarded development of personnel policies in corrections.

"Position by position," the report says, "salaries in this field are generally lower than those in the private sector, or in other governmental occupations requiring comparable educational preparation and job responsibility."

Role of unionism. The report also makes it clear that the trade union movement will play a role in the reform of the corrections system.

"The rise of public employee unions and the legislative authorization for collective bargaining may prove to be important catalysts for change in corrections. In more and more states and local jurisdictions, unions are gathering significant numbers of correctional employees into increasingly strong groups.

"The involvement of correctional employees in this growing movement should be a matter of interest to correctional administrators," the report notes. "The impact of this trend on recruitment, job classification, salaries, administrative prerogatives, conditions of employment and retention of personnel will undoubtedly be intense and far-reaching."

Would educate management. The commission recommends that collective bargaining education and training be given a top spot on the agenda for improved prison management.

"A top priority should be given to the education and training of correctional managers in the areas of collective bargaining and labor-management relations. Corrections should borrow heavily from the work accomplished in the private sector in this area," the report says.

"Correctional administrators can also take advantage of a number of training programs already existing in the field of management."

Wurf comments. AFSCME President Jerry Wurf said the report underscores the International's belief that decent wages and working conditions must be provided for prison personnel before the system can rehabilitate prisoners.

"All too often our prisons serve as social trash cans where we simply detain people," he said. "And all too often they serve as graduate schools of crime."

Wurf hailed the commission's recommendation for a "Correctional Manpower Development Act," with a minimum Federal funding of $25 million a year, but he cautioned that it may be too little, too late.

"The report notes that it would take at least 10 years before the effects of the proposed program would be felt," he said. "At the same time, the commission tells us that by 1975, the prison population will increase by about a half-million, or one-third its present size."

The proposed Correctional Manpower Act, if passed, would provide the authority for coordination of all Federal programs involving education, training and utilization of correctional manpower for administration of comprehensive educational and training programs. It also would provide for technical assistance to agencies, educational institutions and others working to improve educational and training opportunities for correctional personnel.

The report states that corrections suffer from totally inadequate funding and a lack of public support and understanding. And a dearth of resources hampers the development of correctional programs and personnel.

Photographs courtesy of New York State Division of Youth

Quality of personnel. Of the many recommendations for reform laid down by the commission, most of them deal primarily with improving the quality of prison personnel and prisoner rehabilitation programs.

Here are just a few of those dealing with personnel:

- "Salaries, retirement plans and other employee fringe benefits should be continually assessed and efforts made to keep them in line with comparable positions in government and industry and in the same geographical area. Annual cost-of-living increases should be made an integral feature of salary negotiations.
- "Corrections must make provision for greater advancement opportunities in order to attract and retain high quality personnel. Systems should be opened to provide opportunities for lateral entry and promotional mobility within jurisdictions as well as across jurisdictional lines.
- "The establishment of a national retirement fund, which would permit correctional workers to transfer from one jurisdiction to another without loss of pension rights, should be a major goal of every agency and association seeking the betterment of correctional services."

But the commission also reports that today's prison inadequacies do not stem from staff deficiencies alone.

"Corrections today is characterized by an overlapping of jurisdictions, a diversity of philosophies and a hodgepodge of organizational structures" that have created conditions over which prison staffs have little or no control.

Then there is the problem of public opinion.

"The public and the legislators must understand," the report says, "that there can be no solution to the problem of recidivism (repeating offenders) as long as harsh laws, huge isolated prisons, token program resources and discriminatory practices which deprive offenders of employment, education and other opportunities are tolerated."

Nation must care. The present rate of recidivism among the nation's more than one million offenders is 40%, the report notes.

And its most relevant conclusion is that national leaders must immediately act in an effort to lower that figure.

"In the last analysis," says the report, "those about whom this report is written—and those to whom it is addressed—have to care."

Dec. 1969

File – Crime & Correction Program

NEGRO YOUTH SURVEY

You, along with other Negro youth in Atlanta, are taking part in a study of youthful attitudes and behavior. You do not have to put your name on the questionnaire. No one at the school will see the answers you give, so you should feel free to respond to each question as truthfully and honestly as possible.

This is not a test. We are interested in your attitudes and opinions. There are no right or wrong answers.

— Two kinds of questions — factual 1-8 28-30, 16

The Southern Regional Council, Inc.
Atlanta, Georgia

NEGRO YOUTH SURVEY

1. What was your age at your last birthday? _____

2. Sex: ____male ____female

3. Where were you born? City or Town _____ State _____

4. How long have you lived in Atlanta?

   ____All my life

   ____more than three years, but not all my life

   ____one to three years

   ____less than one year

5. If you have not lived in Atlanta all your life, where else have you lived? (IF YOU ALWAYS LIVED IN ATLANTA SKIP TO QUESTION 6)

Town or City	State	How old were you when you left?
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

6a. Which of the following people do you live with? (Check as many as apply and indicate their ages)

		AGE
1.	___ your mother	_____
2.	___ your father	_____
3.	___ your aunt	_____
4.	___ your uncle	_____
5.	___ your grandmother	_____
6.	___ your grandfather	_____
7.	___ an older brother	_____
8.	____ an older sister	_____
9.	___ none of these	

6b. If you checked any answer above except number 9, write in the kind of work they usually do for a living. (Check the correct box.)

	KIND OF WORK	CURRENTLY WORKING	UNEMPLOYED	RETIRED
Mother	_____	_____	_____	_____
Father	_____	_____	_____	_____
Aunt	_____	_____	_____	_____
Uncle	_____	_____	_____	_____
Grandfather	_____	_____	_____	_____
Grandmother	_____	_____	_____	_____
Older Brother	_____	_____	_____	_____
Older Sister	_____	_____	_____	_____

EVERYONE SHOULD ANSWER THIS QUESTION

7a. Other than those listed above, write in any other people who live in your home and state their age and relation to you. If none, skip to question 7c. (For example, my sister's husband)

	RELATIONS	AGE
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

b. In the same order you have written them, what kind of work does each of these people usually do for a living? (Check the correct box.)

	KIND OF WORK	CURRENTLY WORKING	UNEMPLOYED	RETIRED
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

c. What is your family's main source of income?

1. _____ Father's salary
2. _____ Mother's salary
3. _____ Social Security
4. _____ Welfare
5. _____ Other (Please specify) _____

8. Do the persons with whom you live (check one)

____own or are buying their home

____rent

9. Below is a list of some things every neighborhood is concerned about. How do you feel about these things in your own neighborhood?

I think it:

	Is very poor	Needs some improvement	Is pretty good	Don't know
a. Bus service	_____	_____	_____	_____
b. Garbage and trash collection	_____	_____	_____	_____
c. Location of schools	_____	_____	_____	_____
d. Quality of schools	_____	_____	_____	_____
e. Sewers	_____	_____	_____	_____
f. Crowded conditions	_____	_____	_____	_____
g. Washing facilities for clothes	_____	_____	_____	_____
h. Police protection	_____	_____	_____	_____
i. Cleanliness and appearance	_____	_____	_____	_____
j. Parking facilities	_____	_____	_____	_____
k. Hot water facilities	_____	_____	_____	_____
l. Condition of homes	_____	_____	_____	_____
m. Proper heating during winter	_____	_____	_____	_____
n. Recreational facilities	_____	_____	_____	_____
o. Street lights	_____	_____	_____	_____
p. Condition of roads	_____	_____	_____	_____
q. Condition of sidewalks	_____	_____	_____	_____
r. Shopping facilities	_____	_____	_____	_____
s. Bathroom facilities	_____	_____	_____	_____
t. Cooking facilities	_____	_____	_____	_____
u. Churches	_____	_____	_____	_____

10. Are any of the following a problem in your neighborhood?

	Yes	No	Don't know
a. Too much noise	_____	_____	_____
b. Too much drinking	_____	_____	_____
c. Too much fighting	_____	_____	_____
d. Too much trouble with police	_____	_____	_____
e. Poor study conditions	_____	_____	_____
f. Drug use (heroin, "pep" pills, etc.)	_____	_____	_____
g. Speeding cars	_____	_____	_____
h. Gangs	_____	_____	_____
i. Unemployment	_____	_____	_____
j. Stealing	_____	_____	_____

11. Do you agree or disagree with the following statements?

	Agree	Disagree	Don't know
a. No one cares about us where I live.	_____	_____	_____
b. Most people are unfriendly	_____	_____	_____
c. I wish someone would do something about where I live.	_____	_____	_____
d. Sometimes I feel all alone in the world.	_____	_____	_____
e. One can always get help if he tries.	_____	_____	_____
f. Most policemen are pretty good guys.	_____	_____	_____
g. Schoolteachers really want to help you.	_____	_____	_____
h. Sometimes I have the feeling that other people are using me.	_____	_____	_____
i. If you worry about the next guy you'll never get ahead.	_____	_____	_____
j. Most older people usually give good advice.	_____	_____	_____
k. It is smartest to believe that all people will be mean if they have a chance.	_____	_____	_____

(Continued on next page)

11. Contd.

	Agree	Disagree	Don't know
l. Sometimes you have to cheat a little to get what you want.	_____	_____	_____
m. If someone tries to tell me what to do, I usually do the opposite.	_____	_____	_____
n. People are always trying to tell me what to do.	_____	_____	_____

12. Who do you like better, your mother or your father?

_____ I like my mother better.

_____ I like them both the same.

_____ I like my father better.

_____ I don't know.

13. Check the statement which comes closest to your feeling about yourself:

_____ I don't like myself the way I am; I'd like to change completely.

_____ There are many things I'd like to change, but not completely.

_____ There are a few things I'd like to change, but not too many.

_____ I'd like to stay very much the same; there is almost nothing I would like to change.

14. Briefly describe what comes to your mind when you think about Atlanta.

_____

_____

_____

15. How would you rate Atlanta in regard to the following:

	Poor	Fair	Good	Very Good
a. City government	____	____	____	____
b. Welfare services	____	____	____	____
c. Recreation	____	____	____	____
d. Public Schools	____	____	____	____
e. Colleges and Universities	____	____	____	____
f. Public schoolteachers	____	____	____	____
g. Negro leaders	____	____	____	____
h. Housing conditions	____	____	____	____
i. Race relations	____	____	____	____
j. A place to bring up kids	____	____	____	____
k. Job opportunities	____	____	____	____
l. Police officers	____	____	____	____
m. Sports	____	____	____	____
n. Moral or religious climate	____	____	____	____

16. Have you ever: (check yes or no for each question)

	Yes	No
a. Driven a car without driver's license	____	____
b. Skipped school	____	____
c. "Run away" from home	____	____
d. Driven a car too recklessly or fast	____	____
e. Taken things worth more than $10	____	____
f. Used force to get money from another	____	____
g. Taken part in gang fights	____	____
h. Taken a car without owner's permission	____	____
i. Bought beer, wine, or liquor	____	____
j. Drank beer, wine, or liquor	____	____
k. Sold narcotic drugs (heroin, reefers, pep pills, etc.)	____	____
l. Used narcotic drugs (heroin, reefers, or pep pills)	____	____
m. Had sex relations with person of opposite sex	____	____
n. Had sex relations with person of same sex	____	____
o. Raped a girl (for males only)	____	____
p. Sniffed glue	____	____

17. Below is a list of statements dealing with Negroes and whites. As you read each statement could you check whether you strongly agree, agree, disagree, strongly disagree or don't know about each statement. (Check only one response for each statement)

	Strongly Agree	Agree Agree	Don't Know	Disagree	Strongly Disagree
a.. Civil rights demonstration do not accomplish anything.					
b. "Upperclass" Negroes are not to be trusted.					
c. White people can not be trusted.					
d. Nonviolence is always the best approach for Negroes to use.					
e. Sometimes Negroes ought to carry guns when protesting.					
f. If things don't get better in Atlanta there will be riots.					
g. I would participate in a riot.					
h. I am a strong believer in "black power."					
i. I blame whites for the "riots" in Atlanta last summer.					
j. I blame Negro "agitators" for the "riots" in Atlanta last summer.					
k. I blame "bad" race relations as cause of "riots" in Atlanta last summer.					

17. Cont'd. (Check only one response)

	Strongly Agree	Agree	Don't Know	Disagree	Strongly Disagree
l. I blame police brutality as cause of "riots" in Atlanta last summer.					
m. I blame poor economic and social conditions of Negroes as cause of "riots" in Atlanta last summer.					
n. The more Negroes are separated from whites the better.					
o. I do not think black Americans should be fighting in Vietnam.					

18. How important is each of the following items in helping one to"get ahead" in life?

	Very Important	Fairly Important	Not too Important	Don't Know
a. pleasant personality	_____	_____	_____	____
b. family background	_____	_____	_____	____
c. good clothes	_____	_____	_____	____
d. good looks	_____	_____	_____	____
e. being a white person	_____	_____	_____	____
f. ability	_____	_____	_____	____
g. high ideals	_____	_____	_____	____
h. proper morals	_____	_____	_____	____
i. friendliness	_____	_____	_____	____
j. athletic ability	_____	_____	_____	____
k. high grades in school	_____	_____	_____	____
l. luck	_____	_____	_____	____
m. personal ambition	_____	_____	_____	____
n. being slick	_____	_____	_____	____

19. If you could be anything you wanted, what would you like to do for your life's work?

_____

20. What do you think you will actually end up doing for your life's work?

_____

21. Do you plan to stay in high school until graduation?

_____yes

_____no

22. Do you plan to go to school after you get out of high school?

_____yes, a vocational training school

_____yes, a college, (Which college? _____)
(Write in name of college)

_____no

23. How often do you attend church?

_____more than once a week

_____about once a week

_____2 or 3 times a month

_____about once a month

_____a few times a year

_____just about never

24. Below are some questions about the church and religion. Could you indicate whether you agree or disagree with each statement?

	Agree	Disagree	Don't Know
a. Religion is the only thing that can solve the race problem in America.	_____	_____	_____
b. My church is the basic guiding force in my life.	_____	_____	_____
c. Sometimes I feel that God is dead.	_____	_____	_____
d. When I have a problem, my pastor is one of the first persons I turn to.	_____	_____	_____

(Continued on the next page)

24. Cont'd.

	Agree	Disagree	Don't Know
e. The influence of the church is on the decline in America.	____	_____	_____
f. The church is too old-fashioned for me.	____	_____	_____
g. The white man does not take his religion seriously.	____	_____	_____
h. The Negro does not take his religion seriously.	____	_____	_____
i. I am neither for nor against the church.	____	_____	_____
j. The church ought to be more concerned about the social problems facing man.	____	_____	_____

25. List, in order of importance to you, the five most important leaders of the Negro people in Atlanta.

1. _____
2. _____
3. _____
4. _____
5. _____

26. Below is a list of civil rights groups and approaches. Please check what you think about each of them in the appropriate column to the right of each.

	Strongly Approve	Approve	No Opinion	Oppose	Strongly Oppose
a. NAACP					
b. Congress of Racial Equality (CORE)					
c. Student Non-violent Coordinating Committee ("SNICK")					
d. Southern Christian Leadership Conference (SCLC)					
e. Urban League					

26. Cont'd.

	Strongly Approve	Approve	No Opinion	Oppose	Strongly Oppose
f. Nation of Islam (Black Muslims)					
g. Deacons for Defense					
h. American Friends Service Committee					
i. Black Power					
j. School boycotts					
k. Riots					
l. Voter registration drives					
m. Rent strikes					
n. American Civil Liberties Union (ACLU)					
o. Anti-Defamation League (ADL)					
p. Sit-ins					
q. Non-violence					
r. BiRacial committees					
s. Economic boycotts					
t. Street demonstrations, protest marches					
u. Legal court cases to change racial segregation and discrimination					
v. Educational programs used to change racial prejudice and discrimination					

27. Below are names of persons who were or are alive. Answer for each person with a brief answer, who she or he is (or was). If you are not sure but have any idea...Guess.

Who Is (Or Was)

1. Eugene V. Debs _____
2. Walter Reuther _____
3. Rufus E. Clement _____
4. Benjamin E. Mays _____
5. Robert Kennedy _____
6. Carl E. Sanders _____
7. Elijah Muhammad _____
8. Harry S. Truman _____
9. Mao Tse Tung _____
10. Ralph Bunche _____
11. Jesse Hill _____
12. Richard B. Russell _____
13. J. Ernest Wilkins _____
14. Julian Bond _____
15. Samuel W. Williams _____
16. Leroy Johnson _____
17. Howard Moore _____
18. Bill Russell _____
19. Ray Charles _____
20. Stokely Carmichael _____
21. Muhammed Ali _____
22. John Letson _____
23. Lillian Smith _____
24. Marian Anderson _____
25. Lester Maddox _____
26. Fidel Castro _____
27. Ivan Allen, Jr. _____
28. Adlai E. Stevenson _____
29. Thurgood Marshall _____
30. Adam Clayton Powell _____
31. Lou Rawls _____
32. T. M. Alexander, Sr. _____
33. Martin Luther King, Jr. _____
34. Sojourner Truth _____
35. W. E. B. Dubois _____

(Continued on next page)

27. Cont'd.

Who Is (Or Was)

36. Gale Sayers _____

37. Bob Dylan _____

38. Booker T. Washington _____

39. William Holmes Borders _____

28. Please list the places you most frequently go for cultural activities (Music, art, reading, drama, etc.)

1. _____
2. _____
3. _____
4. _____

29. Please list the places you most frequently go for recreational activities (sports, other exercise, etc.)

1. _____
2. _____
3. _____
4. _____

30. Please list the places you most frequently go for entertainment or just general fun.

1. _____
2. _____
3. _____
4. _____

May we thank you for the help you have given us. If there is anything else you would like to say please do so in the space below.

IMPORTANT! PLEASE READ.

Would it be possible to talk to you individually? Yes _____

No _____

If yes, would you give us your name, address and telephone number so that we will be able to contact you.

Name _____

Address _____

Telephone No. _____

When is the best time to contact you? _____

This should be separate —

Instructions should read: do not sign

Anything else will further compromise answers

Including name & address in this fashion likely to lead to substituting some one else's name.

Also this further ~~is~~ (1) invasion of privacy

(2) self incrimination

THE DEMOCRATIC POLICEMAN

Administration of justice

Are police in Western Europe more democratic than in the United States? George E. Berkley answers "yes" in an exciting and controversial book, The Democratic Policeman, (Beacon Press, $7.50) Why? He gives a two-pronged answer, training and unionism.

In West Germany, he notes, police recruits receive three to four years of training, with heavy emphasis on political science and applied psychology. Recruits get two years and nine months of training in Italy, one full year in Sweden, six months in France and 13 weeks in Great Britain. In the United States, the vast majority of policemen begin carrying guns and enforcing the law with less than five weeks' training.

- more -

"Let's Be Human" AJC Inst. Human Relations NY 10022 165 E. 56 St.

Police trade unions in Western Europe provide opportunities for ventilating grievances and taking part in democratic processes, and serve as a "safety valve for a group which is always under pressure." In addition, says Berkley, the unions provide a two-way communications link between the police and society, offering the public better access to the policeman's point of view. At the same time, police union spokesmen and publications receive and transmit to their members ideas from the non-police world.

In Nazi Germany, Section 53 of the penal code authorized the police to use weapons even when they could deal with the situation by other means, because "The bearer of an SS uniform cannot offer the spectacle of a tussle to his folk comrades. Such a spectacle is incompatible with the SS uniform." In contrast, the Trade Union of German Police, which includes over 65 per cent of West German policemen, called for de-escalating the use of force. Rejecting training in the use of machine guns, the union demands a clear demarcation between the police and the armed services.

In England, where Bobbies are unarmed, the Police Federation of Britain has turned down suggestions to arm the police and rejected the use of non-lethal chemical sprays. In Norway too, police do not carry guns, and although policemen elsewhere in Scandinavia are issued guns, they frequently leave them in their lockers when on daytime assignments. In virtually no European democracy do policemen carry guns when off duty.

American policemen carry heavier weapons than their European counterparts, and wear them almost constantly. And they tend to be far more aggressive in the use of force.

Police unionism in the United States is in its infancy. A few thousand policemen are in locals of the American Federation of State, County and Municipal Employees, AFL-CIO, while many larger urban forces have benevolent associations which engage in collective bargaining. Where police unions have taken root in America, they appear to have a democratizing effect.

On both continents, says Berkley, "The police do not create a political culture; they reflect it. They behave in a way the society they serve expects them to behave. Thus, if European systems operate in a manner more consistent with democratic norms than do ours, it should tell us something about American democracy, and what it tells us should give us cause for some concern if not alarm."

EVOLUTION

When a friend of mine, Bernard Backer, was in Britain last fall, he visited Westminster Abbey with his family. Explaining that many famous people were buried there, he told his daughter, "Just think, Joey, you're walking over Charles Darwin's grave." The 15-year old, nonchalently replied, "Uh huh - survival of the fittest."

ETHNIC JOKES

Telling "Polish" jokes can be a violation of fair employment rights. A Polish-born employee charged harassment because of his national origin,

- more -

including the use of vulgar 'Polish' names in addressing him, telling 'Polish' jokes in his presence, and making generally derogatory remarks about his ancestry." Other employees called him "hypersensitive" and said "other employees of Polish descent had taken such 'jokes' good-naturedly." The U.S. Equal Employment Opportunity Commission ruled that the employer violated the fair employment law by tolerating the use of "ridicule of national origin as either a common or allowable condition of employment." The claimant's union had processed his grievance about the matter, and persuaded another employee to remove a sign that offended the claimant.

WOMEN'S RIGHTS

When coeds at the University of California held a "bra-less Thursday" demonstration for equality for women, the National Observer headlined its report: "Coeds Present Untied Front in Berkeley Protest."

OUR BROTHER'S KEEPER

"I don't blame our Indians for being discouraged," writes Harry Oliver in The Home Book of Humorous Quotations, (Dodd, Mead and Co., $10.00). "They are the only ones to be conquered by the United States and not come out ahead."

The only thing wrong with that gag is that it's too true to be funny. Edgar S. Cahn has edited a heartbreaking recital of the Indian's plight today, Our Brother's Keeper: The Indian in White America (World, $5.95). At the Pine Ridge Reservation in South Dakota, $8,040 a year is spent per family, theoretically to help the Oglala Sioux Indians out of poverty. Yet median family income among these Indians remains at $1,910. Over 60 per cent of the reservation's work force is without steady employment while there is nearly one Federal bureaucrat for every family on the reservation. (The cynical conclusion must be that it is the bureaucrat's, not the Indian's poverty that has been attacked.)

The last chapter, "Civilizing the White Man," discusses some of the values of Indian culture - a respect for the land and support for his brothers. In 1886 Black Elk, an Oglala Sioux holy man, went east to "learn some secret of the Wasichu (white man) that would help my people somehow ... I did not see anything to help my people. I could see that the Wasichus did not care for each other the way our people did before the nation's hoop was broken. They would take everything from each other they could use, while crowds of people had nothing at all and maybe were starving. They had forgotten that the earth was their mother. This could not be better than the old ways of my people."

QUOTE OF THE MONTH

Man is the only animal that laughs and weeps, for he is the only animal that is struck by the difference between what things are and what they ought to be. - William Hazlitt.

STRETCHING HIS KNOWLEDGE

A rubber worker, Yaakov Homri, who works in the vulcanization department of the Gamid Rubber and Plastics Company Limited, of Natanya, Israel, won

Bus-Visits to Prisoners

There are over 1100 men and women from the San Antonio area who are in the Texas Department of Corrections. TDC has its 14 units scattered throughout East Texas. Seven units are north of Houston surrounding or in the city of Huntsville while the other seven are 30 to a 100 miles south of Houston.

In the past, in order for a visitor to make the trip from San Antonio, he or she many times would have to travel the 500 mile-round-trip alone in a car or bus. Since the majority of the visitors are women, there was the added fear of a car breakdown on Sunday or a four to five hour midnight to early morning wait in a bus lobby in Houston.

The trip by bus and taxi cost 30 to 50 dollars depending on the location of the unit, and how much the taxi driver would charge for the ride from the bus station to the unit, wait during the two hour visit, and return to the bus depot.

Last October, we began to gather information to provide a bus service for visitors, and we scheduled our first trip for January 2nd.

The prison administration was very cooperative but emphasized that they would not change their visiting hours. This presented a coordination challenge since each unit has different visiting hours.

Because of 200 dollars in donations, we decided to sell tickets the first time for 3 dollars an adult and $1.50 for children. Now, the tickets are $5 an adult and $2.50 for children for the 500 mile trip. The Catholic chaplain at TDC made certain that the inmates received the news of our bus trip in sufficient time to write their families. Also, the local papers gave us ample publicity. We had hoped for two busses but were pleasantly surprised to find that five busloads would be taking advantage of our service.

Essentially, from January to March, this is the way the bus service functioned. We had six buses on February 13th and five on March 12th.

In late March, we decided to enter an agreement with Inner-City, an organization helping poor children on the Westside. They have leased a brand new bus here in San Antonio and we have sub-leased from them on travelling days. Bus Service for Visitors will pay most of the money on Inner-City's lease and put most of the mileage on the bus. The bus is schedule for delivery on May 20th.

In preparation for the new bus, we have changed to one bus every week to different units rather than covering all the units one Sunday a month.

The Referral is a building with two large rooms across the street from the Bexar County Jail. We thought that this would be an excellent location to provide referral service for the families of the incarcerated.

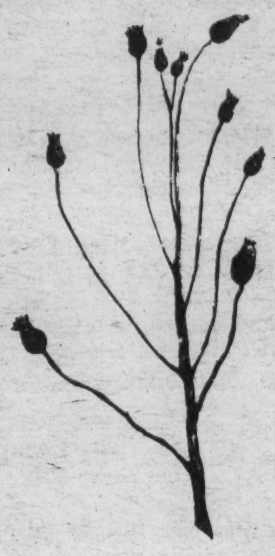
Our goal in both the referral and the bus service projects would be for the people themselves to take over the work and the decision-making. Volunteers from the riders are selling the tickets, phoning and coordinating the bus trips. One of the volunteers is planning a stamp drive to purchase a mini-bus to be used with our bus on trips. We need a smaller vehicle because we are expanding our service.

The most ambitious bus trip is tentatively planned for late August to Alderson, West Virginia where 30% of the women having federal sentences are confined. We feel very strongly about this trip because we have learned that the women are the group most forgotten in prisons. As yet, we have not had one person on our bus trips visit the Goree Unit where the women who comprise almost 5% of the TDC population are located.

There have been many spin-offs from the bus service. Austin begins its own service this week and people in Dallas are thinking about it.

Another product has been the community-formation of the visitors. The bus service having people with the same problems and travelling an entire day together every month is providing support for their struggle. As one lady said, "We look forward to the trip as well as the visit."

Communication is the result then of the bus service and this is true not only of families who were separated by prison and people with common problems, but also the guards we encounter every trip.



The key to reform and eventual abolishment of prisons is to have prisons become the responsibility of the community. Communication between the prisoners and the community then is the first step. By bringing their loved ones to the prisoners, we are beginning to bring the prison to the community.

Anyone interested in learning more about the Bus Service and the Referral should contact Charlie Sullivan, 806A S.W. 36th St., San Antonio, Texas 78237.

"It is individuals who are killing us today. Why should individuals not manage to give the world peace?"
Camus

Under Chicago Regional Office

Copy for Tony Dunbar file Admin of Justice

AFSC PRISON SERVICE:

AFSC Prison Service is ready to recruit volunteers. If you are interested, let them know be checking the services below that you would like to help with, and return this sheet to: American Friends Service Committee, 2002 Monroe Street, Madison, Wiscons n 63711. Volunteers are encouraged to suggest other services that could be useful.

1. Contacting families, employer (in general, taking care of immediate needs upon arrest). This may require a car.
2. Babysitting for families visiting prisoner.
3. Providing transportation for families wishing to visit prisiners.
4. Providing rooms for families who must travel long distances to visit prisoners.
5. Job-hunting, especially for Huber Law prisoners.
6. Educational counseling and aid.
7. Providing educational material (books, etc.)
8. Providing miscellaneous necessities (tooth paste, wash cloths etc), to be distributed through the jail canteen.
9. Tutoring (especially toward high school equivalency diploma).
10. Medical services, especially diagnosis and minor treatment.
11. Ministers, religious counselor of all faiths.
12. Contacting social agencies for the prisoner (legal aid, psychological and marriage counseling).
13. Transporting inmates to visit families, employers, etc., when that is allowed.
14. Translating, especially for Spanish-speaking inmates. Taking inmates out for exercise.

Name_____ Address_____ Phone_____

PAGINATION INCORRECT

(CCR) continued)
Contributions of time and money are always needed; visit the office on the third floor of 420 North Lake street or call 263-1747.

"Every Gun, a Theft"....

Every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who hunger and are not fed, who are cold and are not clothed.

This world in arms is not spending money alone.

It is spending the sweat of its laborers, the genius of its scientists, the hopes of its children.

The cost of one modern heavy bomber is this: a modern brick school in more than 30 cities.

It is two electric power plants, each serving a town of 60,000 population.

It is two fine, fully equipped hospitals.

It is some 50 miles of concrete highways.

We pay for a single fighter plane with a half million bushels of wheat.

We pay for a single destroyer with new homes that could have housed more than 8,000 people.

This, I repeat, if the best way of life to be found on the road the world has been taking.

This is not a way of life at all, in any true sense. Under the cloud of threatening war, it is humanity hanging from a cross of iron.

------President Dwight D.
Eisenhower
April 16, 1953

WHAT YOU CAN DO ABOUT IT.

1. Congress holds the purse strings. Let your congressman know how <u>you</u> think the Federal Government should spend <u>your</u> tax dollars.

2. Keep telling him or her. No single letter, phone call, or visit will persuade a congressman. Get your friends to help you maintain a continuing dialogue with your elected representatives.

3. Finally, seek out your firends and discuss alternatives for action. There are many actions you can take, be creative for your situation.

TASK FORCE STEERING COMMITTEES

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Police Com Pilot

The Beat Commander

New concept of city crime control

Certain long established concepts of police operations have been challenged by the Beat Commander project, a bold experiment in crime control and police-community relations.

For the past nine months, in Detroit's tough Tenth Precinct, the theories and practices of the Beat Commander system have been subjected to feasibility tests. The project was devised by Patrick V. Murphy and Peter B. Bloch. Murphy at the time was director of the Urban Institute's Public Safety Studies; then he

Patrick V. Murphy

Peter B. Bloch

went to Detroit as Police Commissioner and subsequently moved to New York City in that same capacity. Bloch, as current leader of the project at the Institute, works closely with Detroit police officials in this Ford Foundation funded project.

Surprisingly, there has been no opposition to the program

Nobody is certain at this point that the Beat Commander system will stem the rising crime rate. But among the many strategies for dealing with crime, it holds considerable promise both for improving police crime-fighting techniques and for building substantially improved police-community relations.

How It Works

As the name implies, the Beat Commander system focuses on the beat—the small neighborhood equivalent to two squad car territories—rather than on the much larger precinct or entire jurisdiction of a police department. In Detroit a beat includes about 15,000 people compared to a precinct with 130,000 people. A key feature is that the Beat Commander Team is assigned on a permanent basis to this small beat. In Detroit such a team consists of about 23 foot and squad car patrolmen plus a commander, who holds the rank of sergeant. It was anticipated that police-community rapport would develop from this attachment to the physical boundaries of the small beat.

Once Murphy and Bloch propounded this idea, it sounded like such a useful approach that it became difficult for those who were not involved in police work to realize that it represents a distinct departure from common practice. The fact is, nevertheless, that this effort to instill a personal relationship between police officers and one small segment of the community runs counter to the established practice of frequently moving both patrolmen and their immediate commanders to many different beats and precincts. For many decades, familiarity between police and the people under their jurisdiction has been positively discouraged as a matter of policy in America's larger cities.

Part of the separation of citizens and police grew out of the change from foot patrols to squad car work. More important, widespread concern about police graft led to systematic devices for preventing familiarity. Those who designed the Beat Commander project are aware of the risks but believe they can be dealt with in other ways and consider the dangers of unfamiliarity to be even greater.

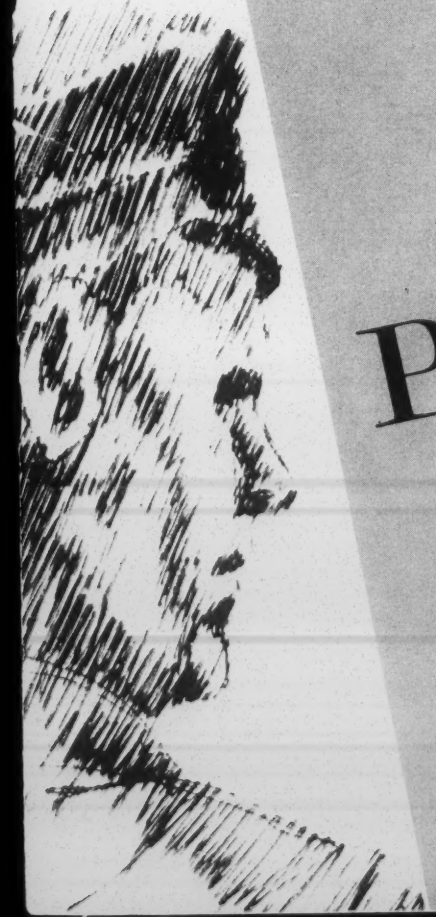
The policemen's intimate contact with their beat begins to give them a sense of the trouble spots and troublemakers so they can do a better job of crime prevention. Equally important for police effectiveness, the patrolmen learn to know who are the law abiding citizens with whom they can work.

This knowledge of what is going on in the beat is not allowed to remain the private asset of each patrolman. Rather, the Beat Commander makes the sharing of such information a central feature of meetings and other communications channels involving the entire Beat Commander Team. Such formal communications at this level of operations are rare among most police departments. In extending the par-

PAGINATION INCORRECT

Admin of Justice

S.T.V.



THE POLICEMAN LOOKS AT HIMSELF

Administration of Justice

Taking The Blindfold Off

Justice

A report from The Urban Coalition

Admin of Justice

acir

Advisory commission on intergovernmental Relations, washington D.C. 20575

Better Prosecution and Defense Vital to Justice (F-9)

The American way of justice—the adversary system—assumes that "truth will out". But that outcome requires a "good, clean fight" between competent, well-prepared prosecution and defense counsel.

The reality of our criminal justice system too often presents a different picture . . . in the cities, a politically beholden prosecutor may be more interested in the next election than the present case . . . in rural areas, a part time prosecutor may be more involved in his private practice than the government's business. Across the room, an indigent defendant may be represented by an overworked, poorly paid public defender with no time to learn the details of the case . . . or by an inexperienced or begrudging lawyer assigned at random to the case by the court.

The upgrading of both sides in the courtroom struggle are essential to improve our adversary system. To this end, the Advisory Commission on Intergovernmental Relations makes four recommendations for systematizing and improving the prosecution function, a suggestion on grand juries and a proposal for upgrading procedures for providing counsel to the indigent defendant. The recommendations are among 44 proposals in the Commission's comprehensive report, *State-Local Relations in the Criminal Justice System.* Other recommendations deal with courts, police and corrections as well as interfunctional cooperation throughout the criminal justice system.

The Commission is a 26-member, permanent, bi-partisan, national body established in 1959 by Federal law to monitor on a continuing basis the operations of the federal system. It's membership includes representatives of the executive and legislative branches of Federal, State and local government and the general public.

The Prosecutor

The prosecutor's role is not only deeply important but broad in scope. His decisions can affect the future freedom and even life of many people. He is a major link between the police and courts. The

LOCAL PROSECUTORS – SELECTED DATA
1970

State	Title	Jurisdiction	Area	Selected by	Term	Removed by
Alabama . . .	District Attny.	criminal and civil	Judic. Dis.	elected	4	Impeached
Alaska . . .	District Attny.*	criminal, civil, appeals	Jud. Dis.*	Attorney Gen.*		NA
Arizona . . .	County Attny.	criminal and civil	County*	elected*	4*	NA
Arkansas . . .						
	Dist. Pros. Attny.	criminal only	Judic. Dis.	elected	2	Impeached
California . .	District Attny.	criminal and civil	County	elected	4	Impeached
Colorado . . .	District Attny.	criminal only	Judic, Dis.	elected	4	Impeached
Conn.	States Attny.	felonies	County	Circuit Ct.*	2	NA
	Chief Pros.	misdemeanors	Circuit*	Circuit Ct.*	NA	NA
Delaware . . .	(no local pros.)	—	—	—	—	—
Florida . . .	State Attny.	[1]	Judic. Ct.	Governor	4	Governor
Goergia . . .	District Attny.	criminal, St. civil appeals	Judic. Dis.	elected	4	Impeached
Hawaii . . .	Co. or City Attny.	criminal and appeals	County	elect. or appt.	NA	NA
Idaho	Prosecuting Attny.	criminal and civil	County	elected	2	NA
Illinois . . .	States Attny.	civil, criminal, appeals	County	elected	4	NA
Indiana . . .	Prosecuting Attny.	criminal only	Judic. Dis.	elected	4	Supreme Court
Iowa	County Attny.	criminal and civil	County	elected	4	recall, impeached
Kansas . . .	County Attny.	civil, criminal, appeals[2]	County	elected	2	NA

Advis of Justice

acir

Advisory commission on intergovernmental Relations, washington, D.C. 20575

Making the Safe Streets Act Work: an intergovernmental challenge

One of the most controversial measures considered by Congress in the 1960s, the Omnibus Crime Control and Safe Streets Act has been marked by heated debate at every step of its implementation.

The most virulent debate was on the issue of block grants. This concept – pioneered in Title I of the Act – channels Federal funds through the States on a broad program basis. Advocates hail it as opening a new era in intergovernmental relations. The more traditional approach is for direct Federal grants to State agencies or localities on a narrow categorical basis. Adherents to the traditional procedure assert that block grants permit States to misdirect urgently needed funds.

Debate has focused also on the efficiency of the Federal administrative structure under the Act – the three-member Law Enforcement Assistance Administration (LEAA) in the Justice Department – and on sub-state regional bodies established by most of the States to help administer the Act.

THE ACIR STUDY

The Advisory Commission on Intergovernmental Relations studied these and other intergovernmental conflicts and tension points in implementing the Act as one part of a comprehensive ACIR study of Federal-State-local relations in the Nation's criminal justice system. *Making the Safe Streets Act Work: An Intergovernmental Challenge* (ACIR Report A-36) has been published separately and is available from the Superintendent of Documents, U. S. Government Printing Office (Washington, D. C. 20402) at $1.00. A summary of findings and recommendations is presented here.

The report is based on material provided by LEAA as well as data from 48 of the 50 States. To assure the greatest objectivity, the Commission staff worked closely with groups reflecting the different shades of opinion throughout the course of the study. Among others, they included: the Council of State Governments, International City Management Association, National Association of Counties, National Governors' Conference, National League of Cities and U. S. Conference of Mayors, as well as organizations of law enforcement officials and the U. S. Bureau of the Budget and the Department of Justice. Of course, the findings and conclusions are solely the responsibility of ACIR.

RETAIN THE BLOCK GRANT

The Commission unanimously urged retention of the block grant approach, which, it stated, "represents a significant device for achieving greater cooperation and coordination of criminal justice efforts between the States and their political subdivisions." The Commission noted "some gaps in State performance," and suggested that "States make further improvements in their operations under it."

The basic criticism of the block grant approach is that the States are not equipped to handle the money and not really interested in the urgent crime problems of large cities and counties.

That the States were both concerned and equipped to move on the anti-crime front was demonstrated in the speed with which the program was implemented. The legislation required the States to set up a State law enforcement planning agency within six months of the measure's enactment to devise a comprehensive plan, receive block grants, and disburse subgrants. Otherwise, the Federal Government could deal directly with localities. Every State complied within the stringent time limit.

Each State received at least $100,000 to enable a minimum planning effort; additional planning grants were based on population. As a consequence of this two factor formula, the largest States received less total planning funds *per capita* than many smaller States with lower crime rates. This was due to the flat grant device and to the relatively modest amount of funds available – $19 millon the first year.

State & Local Taxes

acir

Advisory commission on intergovernmental Relations,
washington, D.C. 20575

THE COMMUTER AND THE MUNICIPAL INCOME TAX

Caught in the fiscal vise between rising expenditures and limited revenue sources, hardpressed cities are looking beyond their borders to commuters to raise needed money. The mechanism is the local income tax, generally levied on the wages and salaries of both residents and suburban commuters.

More than 3500 cities in ten States now charge a local income tax. They range from New York City to villages of a few hundred people, but include such major cities as Detroit, St. Louis, Philadelphia, Pittsburgh, Cincinnati, Baltimore and Louisville. Additional cities across the Nation are considering adoption of this levy which taps a new source of funds and eases reliance on the property tax, but which also can touch off intergovernmental conflict.

These facts emerge from a Background Report, *The Commuter and the Municipal Income Tax,* prepared by the Advisory Commission on Intergovernmental Relations. This paper provides a condensation of the report, which is available from the U. S. Government Printing Office, Washington, D. C. 20402, at 25 cents.

THE SPREAD OF MUNICIPAL INCOME TAXES

Philadelphia, in 1939, imposed the first local income tax that is still in existence. The second major city (over 50,000 population) to adopt a municipal income tax was Toledo, in 1946. The post war period began the real move to local income taxes. By 1949, 12 cities levied the tax; during the fifties, another 11 joined the movement; and another 26 since 1960.

There are now 49 cities of over 50,000 population with municipal income taxes in effect. They are only a small minority of the localities that levy the tax, but of the 3500 taxing localities, 3191 are in Pennsylvania and 267 in Ohio. The levy -- particularly the commuter tax element of it -- is both more noticeable and of greater revenue significance in the large cities. And more major cities, including Atlanta, Boston, Chicago, Dallas, Fort Worth, Minneapolis and San Francisco, , have had adoption under consideration. This would indicate a spread in the geographical range of the tax, also, as up till now Bernalillo County, New Mexico has been the only jurisdiction in the West to impose the local income levy.

Three factors dominate in the spate of municipal income tax adoptions: fiscal stringency, rising property tax loads and broadening the taxing jurisdiction of the locality.

The desperate fiscal situation of the cities has been the leading cause of adoption of the local income tax. When Philadelphia enacted its levy in 1939, its bonded indebtedness was more than $40 million in excess of the constitutional limit and it had real estate delinquencies of nearly $25 million. Cincinnati, Pittsburgh, St. Louis and Detroit also enacted the levy when their budgets were dangerously out of balance.

The second major force has been rising property tax rates, which in many areas have reached the limits of taxpayer toleration. The property tax, traditionally the prime source of local revenue, long has been under attack for hitting hardest at the less affluent while having a sluggish response to economic growth; also, for being poorly administered and for the multitude of exemptions. The income tax is a simpler and more progressive levy. Indeed, it frequently has been sold to the electorate as part of a package to reduce the property tax. An analysis by Elizabeth Deran published in the *National Tax Journal* showed that property taxes were generally lower in income tax cities and the income tax tended to substitute for the property tax rather than supplement it.

The third factor favoring adoption of a municipal income tax, particularly for large central cities, is that it broadens the taxing jurisdiction to nonresidents who work in the city. The justification -- articulated explicitly in a 1950 Ohio Supreme Court decision -- is that nonresidents should contribute to the jurisdiction that affords them a place to work protected by a

Koinonia Farm
Americus, Ga.
March 2, 1957

Emory Via
Southern Regional Council
Atlanta, Ga.

Dear Emory,

Enclosed is a statement about our intentions which we have just released to the press. I thought you would like to have a copy from us, just in case the press version does not come out quite like the original. We hope to release something specifically on the Communist issue today.

We certainly appreciate your concern and efforts on our behalf.

Sincerely,

Norman

Norman R. Long

KOINONIA FARM

Americus, Georgia

March 28, 1957

Emory Via
Southern Regional Council
63 Auburn Ave. N. E.
Atlanta, Ga.

Dear Emory,

When the statement from the United Church Women is available we would like to have about 100 copies if it could be arranged.

The grand jury is giving us quite an exciting time. They have some case against us described as the case of "The State vs. Conrad Browne". They have not yet made clear just what it is, other than a misdemeanor involving soliciting of funds contrary to some Georgia code. They summoned (for hearing yesterday) Clarence, John Eustice, Wally Nelson, and Alma Jackson. They also sub-poenaed all of our financial records and the mailing list. These we refused to hand over voluntarily since we did not see that the corporation records related to a case of this nature against Conrad Browne personally, but they took them anyway over our protest. They have already made photstats of the mailing list. Clarence is in again this morning and their plan was to go further into the financial records. We don't know what to expect from here.

Thanks again for your continuing diligence on our behalf. We do hope you can get a chance soon to come down to the quiet and relaxing atmosphere of the farm.

Sincerely,

Norm

Norman R. Long

KOINONIA FARM
Americus, Georgia

April 8, 1957

Mr. Emory F. Via
Southern Regional Council
63 Auburn Avenue, N. E.
Atlanta 4, Georgia

Dear Emory,

In response to your questions about practical ways of being of help here, we would like to make the following suggestions:

First, in the light of our labor situation here at the present time, we do not feel that it would be wise to press the egg marketing arrangement. Even if a satisfactory market could be developed, at the present moment we simply do not have anyone who could efficiently handle the management of such an operation. Egg prices now are very poor and it would take very efficient management to make it a paying operation. We think, therefore, that it might be better to hold up on this and to use these buildings for other purposes. We think, for instance, that one of them might be converted for our pecan and peanut processing plant.

Second, it would be very helpful to have a contractor come to make suggestions about our building needs. We do not have any definite plans about proceeding with anything, but a few suggestions would help us to determine what we could proceed with. Tentatively, we are thinking of developing our meat curing facilities at the New Jersey community and our nut plant here. Also possibilities here would be a new machinery shed and a dwelling house. We should like to know a little in advance if the contractor is coming so that we can collect our ideas a little more clearly.

Third, the weekend work parties are a very good possibility. If they could come with the idea of helping with our night watch, this would be a real contribution. If they arrived on Friday evenings and thus could help with both the Friday night and the Saturday night watches, it would be a considerable relief to us. There are also other jobs of a miscellaneous nature which such parties could assist with. However, we would seriously question the working on Sundays. This is one of the areas where we might want to be considerate of the attitudes of our neighbors. They have not yet come to realize that every day belongs to the Lord and that work is a sacred activity.

Thanks once again for your thoughtfulness and your diligence in seeking to be of help to us. Our hearts go out to you in your own personal experience of suffering. We keep hoping that you will find that opportunity to drop in on us for a personal visit.

Sincerely,

Norman/jn

Norman R. Long

Chairman
HENRY J. CADBURY

Executive Secretary
LEWIS M. HOSKINS

Honorary Secretary
CLARENCE E. PICKETT

American Friends Service Committee
INCORPORATED

Twenty South Twelfth Street

Philadelphia 7, Pennsylvania

Telephone, RITTENHOUSE 6-9372

April 24, 1957

Emory S. Via
Southern Regional Council
63 Auburn Avenue, N.E.
Atlanta 3, Georgia

Dear Emory:

We certainly appreciate your efforts on behalf of Koinonia Farm Inc. The material which your organization has distributed and published in this connection has been extremely helpful.

Osgood Williams has had to spend a great deal of time on the legal problems of the Farm. This plus the great distance between Atlanta and Americus has undoubtedly created quite a problem. However, from what I have been able to determine it seems to me that the Farm has had more than adequate legal representation. In any attorney-client relationship communication sometimes break down and this is almost universally the fault of the client. Even with the best people, and even in the best circles, clients sometimes fail to apprise their attorneys of what they expect to do prior to the act. This may sometimes have occurred in connection with Koinonia, but fortunately has not thus far produced adverse consequences.

In the normal sort of legal representation it would certainly have been advisable for Osgood Williams to associate with him an attorney located in or near Americus. In this particular case this has been impossible to carry out because of the identity of the client.

I know that your cooperation with us and with Osgood Williams has been extremely helpful in the past and anything that you can do in the future will be very much appreciated.

Again, let me thank you for sending me copies of the Grand Jury presentment as well as the answer prepared on behalf of Koinonia.

Sincerely yours,

Fred

Fred Fuges, Director of
Rights of Conscience Program

FF/ha

Born 1922, '49 Bar
Law '51 - Atlanta Law School
no undergrad grad

Tad Moore
Huff
Abrams

PHONE 7253

KOINONIA FARM

AMERICUS, GEORGIA

Dec. 27, 1957.

Dear Emory:

A few days ago an Atlanta lawyer, Ellis M. Creel, wrote and said he'd heard his pastor mention Con's beating in a sermon. He was quite shocked, and volunteered his services. I phoned him, and he said he had to be in this section and would stop by. He came, and we spent several hours together going over the whole situation. He seemed to be deeply interested and concerned from the standpoint of his own Christian conscience. When he left here, he said he was going by to see the solicitor about Con's case. We haven't had time to hear from him yet as to the outcome.

Do you know anything about Mr. Creel? We were favorably impressed, but I imagine Ed Friend might also give such an impression. We don't want to stumble into the mouth of the lion. Creel's home address is 3201 Poplar St., Doraville, Ga., phone Glendale 7-4869. He's with the law firm of Goode and Creel. If you have any word, we need it pronto. Am enclosing Wofford's speech. It's excellent. We were glad to get a copy from him today.

Best regards,

Clarence

Carter Heads
no firm listing
not rated

B 1914
Bar 1935
AB – United College
Law – Woodrow Wilson

Heads

Asst Sol. for Fulton
Wife (nee) Attys General.
Lewis

THE NEW REPUBLIC AUGUST 22, 1964

MISSISSIPPI

From Conversion to Coercion

by Christopher Jencks

There was a time, only a few years back, when the civil rights movement in the South was largely a Christian crusade and Martin Luther King its prophet. Non-violent protest was seen as a device for producing a "moral confrontation" between the races. Such a confrontation, the early leadership believed, would lead to a "crisis of conscience" in the white South, which could only end in the white supremacists' accepting their black brothers as equals (or even as moral teachers).

This "conversion strategy" failed – although not everyone perceived its failure immediately and some clerics in the movement (occasionally including King) still talk as if it could eventually work. But by the time the civil rights movement entered Mississippi in 1961, the "conversion strategy" was becoming a minority faith. The movement was going secular, and the assault on Mississippi was led by Robert Moses, a former Harvard graduate student, and the Student Non-Violent Coordinating Committee, not by Dr. King or the Southern Christian Leadership Conference. The movement had begun to evolve what might be called a strategy of limited coercion. The new strategy still relied heavily on non-violence and direct action, and it was supported by many who still talked about religion and morality. But the hope was no longer to win over the white supremacists to brotherly love; it was to make life so unpleasant for them that they would find compromise easier than massive resistance. Boycotts would hurt white business, demonstrations would cut into tourism. Perhaps more important, Negro protest of all kinds would provoke the white community into violent retaliation, and this would make it easier to pass federal civil rights legislation and harder for the offending community to attract Northern investors.

The "limited coercion" strategy worked fairly well in some parts of the "new" South, where the business community has become influential and a middle-class distaste for disorder and violence is pervasive. When the demonstrators forced such communities to choose between brutal repression and modest reforms, some chose reform. But Mississippi proved to be still part of the "old," unreconstructed South. Most Mississippians care more for preserving white supremacy than for profits, lawfulness or other symbols of "progress." In such a setting demonstrations were useful only to build interest among local Negroes and to show the North that the right to vote was still not honored in Mississippi. Soon after entering the state, SNCC leaders began to realize that ending white supremacy in Mississippi would ultimately require the use of force.

This was not an easy thing for people committed to non-violence to believe, nor is it easy for white Northerners to believe today. Over and over we have been told that eventually the Southern white "moderates" would speak out and take control from the "extremists," that the "younger generation" of whites would have different views from the older, that industrialization and prosperity would eventually change Mississippi's outlook, or that some other "evolutionary" force would save the day. An outsider cannot judge such matters confidently, but I can report that very few of those with whom I talked last month in Mississippi, black or white, had much faith in any of these accommodating influences. Listening to them it seemed to me that if Mississippi were left to its own devices, racial conflict would steadily increase.

The present balance between violent whites, moderate whites, and non-violent blacks did not seem to me likely to change radically this year or next. So long as young Mississippi Negroes imagine that they can better their lot in the North, there well be a safety valve of sorts, and Negro violence will probably focus on the Northern ghettoes where unemployed Negro adolescents and young adults are concentrated. But in the long run this very violence may persuade many black Mississippians that there is no point in moving North. If the young Negroes despair and stay in Mississippi, and if they cannot find jobs, regular meals, or even safety from the police in Mississippi's "niggertowns," they will presumably respond eventually as Harlem has long responded. The results could then be much worse than in the North. In most Northern cities public officials depend on Negro votes for office, and have some sympathy with the "legitimate" aspirations of the "decent, law-abiding Negroes." In Mississippi, Negro votes don't count and a "decent, law-abiding Negro" is not expected to have any aspirations. Once violence begins, there is not even a common set of ideals on the basis of which a compromise can be sought.

But while white violence against Negroes will probably continue, and may evoke more sporadic counter-violence than in the past, an organized upheaval seems unlikely. Negroes in New York, like Malcolm X and Jesse Gray, talk about giving bloodshed a purpose by resorting to guerrilla tactics in Mississippi. Most Negroes on the scene know that such a venture, while appealing to some frustrated young adolescents in Mississippi's few miniature Harlems, could only end in disaster. Mississippi is not South Africa. Its black inhabitants are less numerous than its white ones, and they live on a largely white continent where outside sympathy or help would be unlikely once they started shooting. If black Mississippians were to attempt a violent attack on white supremacy, it is hard to be sure what would happen. Much would depend on the form violence took. Terrorism aimed at specific, objectionable sheriffs or businesses would be one thing; guerrilla warfare aimed at seizing power would be quite another. In the latter case the Negroes would probably end up decimated and "pacified" on "reservations," like the Indians before them. (The fate of the American Indian seldom gets the attention it deserves from black nationalists; it does not suggest that all-out violence or separatism holds much promise of success in America.)

Yet if Mississippi Negroes cannot hope to employ force successfully themselves, they can hope to play their cards cleverly enough so that the federal govern-

ment will do their job for them. The present strategy of the civil rights movement in Mississippi rests on this hope. I do not mean that civil rights leaders in Mississippi are sitting on their hands waiting for the Justice Department to take over. If anything, the reverse is the case. But it is true that the civil rights workers spend as much time, energy, and blood trying to push the Administration harder and faster as trying to push white Mississippi.

What's the Problem?

Northern whites often find this kind of pressure on Washington irritating or puzzling. They feel the Negroes got as much as they had any right to hope for in the new Civil Rights Act, and they feel that "the problem is now one for the courts." This feeling is understandable, for it is based on the notion, widely disseminated by civil rights organizations in the past, that "the problem" is primarily one of segregation and discrimination. This may be true in some places. It is not true in Mississippi, and SNCC spokesmen have been saying as much since President Kennedy (for whom they had little love) sent his proposals to Congress more than a year ago.

The fact is that the new civil rights law, even if rigorously enforced, would do little for the overwhelming majority of Mississippi Negroes. The Act is relevant largely to the Negro middle classes, a mere handful of whom are allowed to exist in Mississippi. The middle classes are the ones who can afford to eat in hitherto white restaurants and stay in hitherto white hotels. They are the ones whose children will be emotionally and intellectually prepared to profit from white middle-class teachers, and who will not have to drop out of school to work in the fields. They are the ones who will qualify for better jobs if and when discriminatory hiring is abandoned. It will mostly be they who will pass the voter registration tests if and when these are fairly administered.

The lives of most Mississippi Negroes, however, will remain unchanged, and they mostly know it. The Act does not speak either to their poverty or to their fear. Two-thirds of Mississippi's Negro families now have total income from all sources of less than $2,000. The Act will have very little effect on that statistic. Almost all Mississippi Negro families have at least one breadwinner who could be fired tomorrow for displeasing a white employer. The Act will not change that either. Almost all rural Negro families subsist on credit from local storekeepers, who can cut it off at the whim of the white community. The Act will not change that. All Negroes, urban and rural, old and young, exist on the suffrance of local law enforcement officers, from whose kindness or brutality the Act offers no real appeal. Finally and most fundamentally, if a Mississippi Negro is to redress his grievances, the US Constitution requires him to go before a jury. This jury may not be all white, but it will inevitably include enough white supremacists to prevent a Negro's obtaining the unanimous vote in his favor which he would need to get his due from a white man. White supremacy is founded on social and economic relationships such as these, far more than on mere segregation or legally-provable discrimination.

The SNCC leadership in Mississippi seems to understand all this, perhaps too clearly. The Mississippi Summer Project has not sought to desegregate anything (except SNCC itself, which had been almost entirely black in Mississippi until this summer). There have been no sit-ins, and no boycotts of lily-white employers. Even the testing of the new public accommodations law has been left to visiting firemen like King and the NAACP delegation. SNCC represents a new generation of Negroes, unlike the Kings and Farmers and Wilkinses – or the Malcolms – and they have far less interest than their elders in such symbols of white supremacy as lunch counter segregation. They are rebellious and radical, and for the moment they have rejected their parents' hope that they would earn a place in white middle-class society and be satisfied with it. Over and over they tell a visitor (echoing James Baldwin), "We don't want to be integrated into *your* society," or say of the whites who endlessly harass them, "We want more than equality with *them*." In part, such talk reflects the anti-white feeling of many young Negroes. But even more important in SNCC is bitter hostility to the middle classes, black or white. Why be integrated into white schools when white schools are so square – and lousy? Why fight to go to a fancy restaurant with white table cloths? Why struggle for the right to type some industrial baron's mail?

To Remake America

What these young radicals are looking for is not a chance to "make it" in white America, but a chance to remake America along more egalitarian and proletarian lines. They have chosen to begin in Mississippi for many reasons. Mississippi is "the worst," which appeals to the evangelical element in SNCC – to convert the greatest sinner would be the greatest triumph. Then too, all that SNCC's workers dislike in America is written bold in Mississippi, with ambiguities and shadings eliminated. Mississippi dramatizes the problems of the American Negro better than any other place, North or South. And drama is important not only in moving white liberal opinion but in activating Negroes. At the same time, the more ideological SNCC workers are fascinated by Mississippi because to their minds it comes closer to being a "pre-revolutionary situation" than any other in America. The poor, and especially the black poor, are a larger proportion of the population than in any other state. Furthermore, the black poor are largely free from what SNCC inevitably regards as the malign influence of the black bourgeoisie. The NAACP, traditional organ of the black middle class, has provided the state with a martyr (Medgar Evers) and with the current president of the Council of Federated Organizations (COFO), a federation of all civil rights organizations in the state. Yet in day-to-day practice COFO is a mere umbrella under which SNCC veterans, and particularly Robert Moses, run the Mississippi Summer Project, the Mississippi Freedom Democratic Party and other ventures.

A word is perhaps in order here about charges of Communist infiltration in SNCC and the Summer Project. There is no doubt that at the rhetorical and ideological level, SNCC has been receptive to all the left-wing clichés of the 1930's. Why not? Until very recently the "mainstream" of the American intellectual tradition has hardly even recognized the possibility that a state like Mississippi could exist in modern America. Even so, SNCC's thinking is very "American," especially in its faith that the Constitution drafted by the Founding Fathers (and revised by the Radical Republicans) means what it says and will be their salvation. To plan a revolution on the assumption that it can be carried out by the federal government, to believe that the "power structure" can be won over to your side is hardly Marxist. These young men seem to me to owe more to C. Wright Mills and the Populists

than to Marx or Lenin.

When one turns from ideology to personnel, Communist influence wanes to the vanishing point. There are a number of white people on the fringes of SNCC, and among the volunteers working in Mississippi this summer, who have a history of association with left-wing causes. That any of these hangers-on or volunteers is actually a Communist Party member I doubt. Some are certainly verbal supporters of Castro, but few have a good word to say for Khrushchev. Some would undoubtedly like to use SNCC as a focus for a radical revival in America, concerned not just with civil rights but with other domestic and foreign issues. On the basis of my observation, however, it seems to me that there is fairly little danger of SNCC being "used" by anyone white. SNCC will not conduct an anti-Communist purge for public relations purposes, but nor will it submit to outside influence. Among the Negroes who make policy in SNCC the whole issue of "Communism" is simply irrelevant. They may be radical; they may even be dangerous; but this is because of their own experience and dreams as Negroes in America, not because of anything Moscow or Havana might have said or paid for.

What SNCC wants in Mississippi is nothing less than a second effort at Reconstruction, backed by whatever federal force and funds are necessary to make the venture successful. Desegregation would be an inevitable by-product. Every activity of the Summer Project – voter registration, the freedom schools, the community centers, the study of federal programs in the state, the effort to proselytize among poor whites – all relate to the overriding hope of redistributing political power.

SNCC's basic aim is now a political realignment in the state. First, SNCC hopes the Democratic Administration will repudiate the Mississippi Democratic Party, deprive its Congressional delegation of party privileges (notably the party seniority which makes them committee chairmen), and refuse to distribute pork and patronage through the present party machinery. A new Northern-style Democratic Party would then be organized in the state, with Negroes, labor unions and poor whites as the major shareholders. Conservative plantation owners and industrial managers, as well as small businessmen and die-hard segregationists, would presumably turn to the Republican Party. The new "liberal" Democratic Party could use its control of federal offices and federal spending (SNCC thinking does not seem to include the possibility that the Republicans might capture Washington) to make major social and economic changes in the state. The magnitude of potential federal influence is indicated by the fact that two years ago Mississippi families each were contributing, directly or indirectly, an average of $455 to the federal Treasury, while getting back (mostly indirectly) more than $1,050 per family. Only a small fraction of this $1,050 is available for social renovation, but even a small fraction would make a big difference in a state where almost half the Negro families now earn less than $1,050 a year from all sources. Through control of federal patronage and broad appeal to the poorer residents of the state, the new-style Democrats might even capture state and local power – especially if there were enough federal intervention to enable large numbers of Negroes to vote. And if this were to happen not only in Mississippi but elsewhere in the South, the balance of power in Congress would shift left, and much more generous federal help in dealing with poverty would be forthcoming.

Their Chosen Hell

At first glance this all adds up to a very improbable scheme. But then any scheme which holds out real hope for Mississippi's 900,000 black inhabitants is inherently improbable. Probability is all on the side of despair, and the only "rational" plan SNCC could formulate would probably be massive emigration. But where can Mississippi Negroes go? Most of SNCC's top leaders come from the cities, North and South, to which Mississippi Negroes might flee. It was their disillusion with these places that set SNCC's veterans on the semi-revolutionary path which led to Mississippi. And it is the hope that Mississippi can ultimately be raised not just to the level of North Carolina or Maryland or New York, but something better than any existing model, that keeps not only the old-timers who set the tone in SNCC but the dozens of new recruits from within Mississippi in their chosen hell.

SNCC's political ambitions are increasingly focussed on the Mississippi Freedom Democratic Party – an organization which usually follows American rather than African tradition by calling itself the "Freedom Party," not the "MFDP." In theory, the Freedom Party is to become the nucleus of a new Democratic Party in Mississippi. It has already put up candidates in the Democratic primary for the US Senate and House. These candidates, unlike their incumbent opponents, supported the national Democratic platform and the Johnson Administration's program. They lost. Now the Freedom Party is sending a delegation to the Democratic National Convention, challenging the credentials and loyalty of the "official" Democratic delegation, and asking to be seated instead. The challenge is based partly on the fact that the traditional Mississippi Democrats refused to give Negro voters a voice in the selection of the delegation, partly on the fact that most of the traditional Democratic Party in Mississippi is overtly or covertly backing Barry Goldwater for President.

President Johnson's attitude toward this challenge was uncertain at the time this was written. He is said to have no hope of carrying the state in November. He is mainly concerned with the effect of the Mississippi fight on the November balloting in other states. He could lose a lot of Southern support if he questioned the legitimacy of Mississippi's white Democrats. He could lose Northern Negro votes by spurning Mississippi's black Democrats. He could lose Northern white votes if he seated the white Mississippians and if the thousands of Negro demonstrators expected in Atlantic City rioted.

Whatever happens in Atlantic City, the Freedom Party's long-term prospects depend on creating a black-white coalition within Mississippi which can win state and local elections. The difficulty is that so long as Negroes remain a tiny minority among registered voters, no white group has any incentive to negotiate with the Freedom Party. Today its support would be a liability, not an asset.

The only way to make a coalition viable would be to increase substantially the number of Negroes registered to vote. In 1960 Negroes made up 42 percent of Mississippi's inhabitants; if they also constituted 42 percent of the electorate, enough of Mississippi's white voters could probably be lured to some compromise candidate for him to win statewide office. This would certainly be true if the candidate had been promised a voice in distributing federal largesse within the state. In many counties Negroes are an absolute majority, and no such coalition would be needed.

In order to make Negroes anything like 42 percent of the electorate, however, major changes would have to be made in Mississippi's present voting laws. The present laws require, for example, that would-be voters answer, to the satisfaction of white supremacists, ques-

tions about the meaning of the state constitution and the duties of a citizen. These questions have no objectively "right" or "wrong" answers, and they invite discrimination by local registrars. Most registrars have accepted the invitation eagerly. The Justice Department has sought an injunction preventing the use of such questions throughout the state, but so far has not obtained it. Even if such an injunction were issued (and there is a good chance that it eventually will be), many literate Negroes would still be reluctant to apply. Black voters would probably not exceed 10 percent of the total. If the law requiring the publication of would-be voters' names were invalidated, if local registrars were replaced by federal ones, if the FBI were more energetic in investigating charges of harassment, intimidation and reprisals, and if the Justice Department were more eager to prosecute, perhaps Negro registration might rise to 15 or 20 percent of the total.

Beyond that, a major revolution would be required. This is true because, although there are more Negroes than whites born each year in Mississippi, the combined effect of rural mechanization and employment discrimination forces a substantial fraction of young Negroes to leave the state soon after leaving school. White supremacists welcome the emigration and encourage it where possible. As a result, Negroes constitute only about 34 percent of all Mississippi adults, and by 1970 the proportion can be expected to drop to 30 percent.

More important, even a "color-blind" literacy test sharply reduces the proportion of Negroes in the electorate. The new Civil Rights Act says that completion of sixth grade establishes a "presumption" of literacy. But less than half Mississippi's adult Negroes meet this standard, for they began working in the fields when they were ten or eleven. *If Mississippi confined voting to those who had completed the sixth grade or passed some equivalent test Negroes would constitute only 21 percent of the eligible voters.* There is not a single county in which a majority of the elementary school graduates is black. Since today's young Negroes are getting a better education than their parents, one might expect their potential weight in the educated electorate to rise over the years. But it probably won't, because Mississippi's brighter and better educated Negro youngsters keep moving to Memphis or points North. Negroes today constitute almost exactly the same percentage of the elementary school graduates living in the state as their parents did in 1940. The only way to raise the proportion of black voters much above 20 percent in the foreseeable future would be for Congress to establish a huge adult literacy program. And for such a program to reach the mass of Mississippi Negroes, it would have to be administered directly from Washington, rather than working through state or local authorities. Yet direct federal control goes very much against the Congressional temper and is hardly likely. (It is of course also conceivable, though hardly probable, that a Constitutional Amendment might bar literacy tests for voting or that the Supreme Court might ban them on the ground that they violate the "equal protection" clause.)

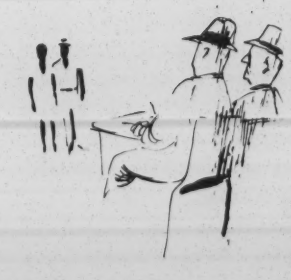
Task for a Coalition

The probability is, however, that Negroes will not soon constitute more than a fifth of Mississippi's voters. Politically, this means that a liberal Democratic coalition would have to win the allegiance of about 40 percent of the state's white voters in order to capture statewide office. At present it is hard to imagine a candidate who could both win support from Negro voters and from 40 percent of the whites. J. P. Coleman, for example, got about 40 percent of the white vote in last year's gubernatorial primary, but he would probably have lost some of this support if he had had "official" Negro support and had made compromises on white supremacy to rally the Negro vote. Still, times change and politicians seldom remain permanently hostile to a fifth of the electorate. If Washington made a more energetic effort to get literate Negroes registered and if the White House were to make it clear that federal "goodies" would only be distributed through a local party that included Negroes, perhaps Mississippi's politics would gradually become like Tennessee's. But President Johnson has shown little sign yet of moving in this direction.

Today most Mississippi Negroes still seem to believe in the American dream, if not for themselves then for their children. (At bottom, this goes for most SNCC workers too.) Should they stop believing, as much of Harlem has, should they at long last strike back at white Mississippi, Northern support for their cause would be reduced to a whisper. If the military were to be used at that point it would be for repression, not reconstruction. The only obvious way to avoid such a potential disaster is to give Mississippi Negroes a major voice in their own destinies before they despair, making them part of the Mississippi "power structure." Only the federal government has the power to do this; certainly white Mississippians will not do it voluntarily.

What would make the federal government move decisively in time? Only killings, I fear. The Neshoba County tragedy was a beginning, but its effects lasted only a few weeks. It will probably take repeated and dramatic white violence against Negroes to elicit the necessary federal action. Such violence can hardly be welcomed, but it could at least have therapeutic consequences. If the present situation is simply allowed to deteriorate, and if large-scale black violence against whites eventually begins, it is hard to see how the circle of fear, violence and repression will ever be broken.

SUPPORT SNCC NOW



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JUN 1965

Coalition

A COMMON GOAL – Equal Employment Opportunity

by Walter G. Davis

Desegregating a lunch counter in the South and opening up job opportunities for skilled workers in the North obviously are different problems.

In the first instance, once the individual is served at the lunch counter, the problem is resolved. This could take but a minute.

To place a skilled, non-white mechanic or craftsman on a job requires much more than mere willingness on the part of employers to hire non-discriminatorily. There must be a job opportunity and the job applicant must be trained and qualified to fill it. Matching all these separate elements might sound simple but recent experiences indicate otherwise.

To deal with this complex problem, unions, employers and employment agencies have been gearing their operations to meet the deadline date of July 2, 1965, when Title VII of the Civil Rights Act of 1964 will become effective.

Congress allowed a one-year period to elapse since the passage of the law to enable those covered by its provisions to prepare for compliance.

This action tells a story—a story of the formidable task that lies ahead for the civil rights movement and in fact for the nation. Furthermore, it points to a new direction in the civil rights field.

No serious observer of the civil rights struggle in America expects a loss of momentum in the movement, although in contrast to 1960-1964 it may appear so. This is because the fundamental nature of the problems have changed.

The plain fact is the nation's non-white population is currently suffering from the fall-out of 100 years of discrimination. Substandard housing and education have contributed substantially to the inability of many who seek the new job opportunities available to them to qualify.

Since most of the training programs in the highly skilled occupations require from 4 to 5 years of concentrated work in the trade, it will take at least that much time before sufficient numbers of qualified Negroes and other minorities present themselves for job opportunities that do exist. There are qualified non-whites, to be sure, but few remain unemployed if their skill is in demand.

The hard work ahead lies in the areas of training, education and motivation of minority-group youth. These are the areas on which the civil rights movement is expected to focus in the future.

One also must understand that there are two revolutions occurring concurrently in America, each having a bearing on the other. One is the civil rights revolution. The other is the technological revolution which is wiping out a great many semi-skilled and unskilled jobs through automation. The effect of this phenomena is to further complicate the problems facing the civil rights organizations in terms of their ability to conduct meaningful and effective programs for equal job opportunity.

The law and the voluntary efforts of scores of organizations and individuals can help attain the goal for several reasons:

- The declaration of public policy that it is unlawful in the job field to discriminate because of race, color, religion, sex or national origin will help educate all Americans to the injustice of barring an individual from an opportunty to earn a decent living because of some artificial distinction which has no bearing on his ability to perform.

- As Negroes and other minorities acquire new skills and bring them to the job market, they will

WALTER G. DAVIS, formerly executive vice-president of the United Transport Service Employes, is Assistant Director of the AFL-CIO Department of Civil Rights.

EQUAL EMPLOYMENT OPPORTUNITY

Title VII of Civil Rights Act of 1964 — Effective July 2, 1965

	COVERAGE	UNLAWFUL PRACTICES
Employers		
July 2, 1965	100 employes	Cannot discriminate against any individual with respect to hire or discharge, compensation, terms, conditions or privileges of employment. Also forbids employers from limiting, classifying or segregating employes in any way that would tend to discriminate.
July 2, 1966	75 employes	
July 2, 1967	50 employes	
July 2, 1968	25 employes	
Unions		
July 2, 1965	100 members	Cannot exclude or expel on basis of race, color, religion, sex or national origin. Cannot segregate, limit or classify by race, color, religion, sex or national origin. Unions cannot cause or attempt to cause an employer to discriminate or fail or refuse to refer for employment because of race, color, religion, sex or national origin.
July 2, 1966	75 members	
July 2, 1967	50 members	
July 2, 1968	25 members	
Employment Agencies		
All, including U.S. Employment Service and the system of state and local employment services receiving federal assistance.		Cannot refer a person for employment on basis of race, color, religion, sex or national origin or classify on such grounds.

Exemptions

— All government employment — federal, state or local
— Indian tribes
— Bona fide private tax-exempt membership clubs

ENFORCEMENT PROCEDURE

Federal

1. An aggrieved individual may file a charge in writing, under oath, with the Equal Employment Opportunities Commission in Washington, D. C.

2. Any member of the Commission may file a charge with it.

3. The Attorney General may bring suit in a three-judge federal district court to enjoin "a pattern or practice" of violation.

State

In states which have FEP laws, aggrieved persons must file with the state commission first.

States which have Fair Employment Practices laws meeting federal standards must be given first opportunity to handle charges brought by individuals. At present, 25 states have laws which appear to meet these standards. They are Alaska, California, Colorado, Connecticut, Delaware, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, New Mexico, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Vermont, Washington and Wisconsin.

No charge may be filed under Title VII before the expiration of 60 days after proceedings have been started under the state or local laws unless such proceedings have been terminated earlier.

Equal employment opportunity means a wider variety of jobs will become open to all, with ability the only test.

help promote the economic growth of the nation.

- By closing the gap in earnings between whites and non-whites, the entire economy will benefit through increased purchasing power, which will in turn strengthen business, create more jobs and give unions greater growth potential.
- Better job opportunities for minority group citizens will enable them to break out of the vicious circle which confines them to ghetto housing and overcrowded, substandard schools.
- The new law certainly can operate as a catalyst in bringing new encouragement to the American Negro and inspiring him to strive towards his potential.

All of these things can be accomplished with the sincere support of the general community. Once the American people arrive at the full realization that equal job opportunities will not only help Negroes and other minorities but each individual and the nation, full support of the law should be no problem.

How Will Title VII Operate?

Like other laws of its kind, Title VII is not self-implementing. It merely provides a remedy for any aggrieved person who can validly claim he has been denied a job opportunity because of his race, color, religion, sex or national origin.

Title VII of the new law provides machinery for dealing with such charges of discrimination and leaves the enforcement of the law to the courts. However, in the 25 states with similar laws, an individual must first institute proceedings under state law and then allow 60 days for state authorities to handle the matter before filing a charge with the federal commission.

The law applies to employers and unions having, respectively, 100 employes or members as of July 2, 1965. On July 2, 1966, the test becomes 75 employes or members; on July 2, 1967, it becomes 50 employes or members; and on July 2, 1968, it becomes 25. However, a union which operates a "hiring hall or hiring office" is covered, regardless of the number of its members, if it makes referrals to a covered employer. National or international unions, local unions and other subordinate bodies, as well as state and local central bodies, are covered.

Of the prohibited practices under Title VII, employers are forbidden to discriminate against any individual with respect to hire or discharge, or compensation, terms, conditions or privileges of employment. Employers also are forbidden to limit, segregate or classify employes in any way that would tend to discriminate against them.

Unions are forbidden to cause or attempt to cause employers to discriminate. In addition, unions are forbidden to discriminate with respect to membership or to classify members in any way that would tend to discriminate against them.

Employment agencies are forbidden from referring individuals for employment on the basis of race, color, religion, sex or national origin.

A separate provision of Title VII prohibits discrimination in apprenticeship or other training programs by an employer, union or joint labor-management committee.

Employers, unions and employment agencies are forbidden to use discriminatory advertisements.

Among the exceptions set forth in Title VII, discrimination is permitted in those certain instances where race, sex or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of the particular business.

An employer may apply different standards of compensation, pursuant to a bona fide seniority, merit or incentive system so long as the differences are not the result of an intention to discriminate. Employers are likewise permitted to use any professionally developed ability test so long as it is not designed or used to discriminate. Nowhere in Title VII, by implication or otherwise, can language be found to require anyone to grant preferential treatment to any group on account of the existence of a racial imbalance with respect to employment or admission to union membership. In-

deed, preferential treatment to any group would itself be a violation of the Act.

On the federal level, enforcement proceedings may be started in three ways:

1. An aggrieved individual may file a charge, under oath, with the Equal Employment Opportunity Commission.
2. Any member of the Commission may file a charge with it.
3. The Attorney General may bring suit in a three-judge federal district court to enjoin a pattern or practice of violation.

In the first two instances, if the Commission is unable to secure voluntary compliance, the aggrieved person may bring suit himself in federal district court.

It is hoped that the effective implementation of Title VII will strengthen and supplement the efforts of unions in the enforcement of existing non-discrimination clauses in collective bargaining agreements. Most of these clauses cover current employes only and leave to management the prerogative of hiring at its own discretion. Technically, an employer could have a lily-white workforce, a non-discrimination clause in his contract and not be guilty of discrimination. Also, an employer can have a workforce, for example, composed of 80 percent Negro workers and 20 percent white, with separate terms and conditions for the Negro workers inferior in quality to those granted the white employes. He might claim he is not guilty of discrimination because of the high percentage of Negro workers in his plant. Yet it might be considered that, in the latter case, this would represent discrimination on its face.

These are just two minor examples of the nature of the problems to be faced by state fair employment commissions and the new federal commission.

Labor's program in the equal job opportunity field will attempt to strengthen the role of the federal and state agencies. In many instances, trade unions, through the implementation of non-discrimination clauses and the effective processing of grievances, will eliminate many complaints from aggrieved persons before these matters reach the commissions having jurisdiction over them. It cannot be overemphasized that effective implementation of Title VII will in part depend upon the willingness of workers, job applicants or applicants for apprenticeship training to take the initiative in filing complaints.

The road is now open for employers and unions, where bargaining relationships exist, to negotiate non-discrimination clauses which will extend to hiring.

At the national AFL-CIO Equal Employment Opportunity Conference held on April 13, 1965, in Washington, D.C., President George Meany declared:

"It must be clearly understood that our goal is not just employment at the bottom, but equal rights as to wages, working conditions and also for advancement."

Meany went on to say that "we would be fighting this fight if there were no laws on the books. And, in fact, we were enlisted long before the laws were passed; we sought the help of law in a battle we were already waging."

At the national conference, 74 union representatives representing 10.2 million members of AFL-CIO unions discussed labor's program for voluntary compliance with Title VII. They reviewed the whole range of problems which call for affirmative action programs.

These union leaders were designated by the presidents of their international unions to represent their respective unions in the equal employment opportunity field. They will be responsible for the development of programs within the jurisdiction of their unions and within the trades or industry where such unions have a collective bargaining relationship. They also will serve as contact persons for the new federal Equal Employment Opportunity Commission, other government agencies and the AFL-CIO Department of Civil Rights.

The number of representatives is expected to top the 100 mark soon. Of the few dozen remaining unions, the principal officer of the union will be responsible for the development of programs.

Aside from action on equal employment opportunity, labor's commitment requires vigorous efforts to improve education and housing for everyone. Local central bodies have been urged to develop community action programs in concert with other groups.

Labor thus has reinforced its determination to speed up the rate of progress so all Americans can share in building a great society.

The Cost of Discrimination

". . . The Civil Rights Act is likely to extend the horizons and motivations of non-white youth as it opens up new employment opportunities.

"There will be greater incentive to stay in school and to obtain training. Incomes will rise and the circle of poverty in which many Negroes are trapped will be broken.

"Discrimination against minorities—Negroes, Puerto Ricans, Spanish-Americans, Indians and others—has significant economic and social costs. It is estimated that society loses up to $20 billion per year of potential production as a result of employment discrimination and poorer educational opportunities for non-whites.

". . . The voluntary cooperation of businesses and unions has been enlisted to open both jobs and union membership to non-whites. One of the most critical remaining barriers to the employment prospects of non-whites is the lack of sufficient openings in apprenticeship programs. Until younger Negroes can acquire the skills necessary to compete in today's labor market, equality of opportunity will not be realized. . . ."

—*"The Annual Report of the Council of Economic Advisers," in President Johnson's Economic Report to Congress, January 1965, pp. 167-8.*

Sunday, August 1, 1965

New York Herald Tribune

Dupl

Labor-Negro Alliance

A POWERFUL political alliance is being forged between organized labor and the Negro community. It is much in evidence on Capitol Hill this summer. The AFL-CIO is fighting shoulder to shoulder with key Negro groups to win Congressional adoption of the voting rights bill, while the Negro groups in turn are pressing for enactment of the minimum wage bill and for repeal of the labor-despised Sec. 14B of the Taft-Hartley Act.

The labor-Negro alliance has been warming ever since the late President Kennedy entered the White House. Labor and Negro legislative representatives now meet daily—and some times throughout the night—when important bills reach the action stage.

It isn't as cosy on the production lines or even at the union officer level in all locals and internationals. There still is bitter anti-Negro feeling in many unions.

But labor and the Negro have come a long way.

International Association of Machinist members, for example, were implacable foes of Negroes in the huge aircraft industry after World War II. But the machinists union now is a prime mover in the Negro-labor alliance here.

The United Automobile Workers are key members. So are the Steel Workers, Amalgamated Clothing Workers, International Ladies Garment Workers, Amalgamated Meat Cutters, Textile Workers and the State, County and Municipal Employees.

The AFL-CIO helps support Bayard Rustin's tiny A. Philip Randolph Institute in New York's Harlem and the brainy Mr. Rustin wrote the testimony that widely respected NAACP Washington director Clarence Mitchell gave as the Negro spokesman on minimum wages.

The close alliance was dramatically signaled when Mr. Mitchell appeared before the House Labor subcommittee to support repealing Sec. 14B—the provision that allows states to ban the union shop. Repeal of 14B is labor's No. 1 goal. Significantly, it is a straight labor issue—not a broad economic question like the minimum wage or Social Security.

Mr. Mitchell presented the agreed view of a group of leading Negroes—as he did again when he supported a more generous minimum wage law. He spoke for Roy Wilkins, NAACP executive director; A. Philip Randolph, American Negro labor council president; Martin Luther King jr., Southern Christian leadership conference president, and CORE national director James Farmer.

It is as certain as anything can be that Congress will be seeing more labor-Negro cooperation on major economic issues in the future.

JOSEPH R. SLEVIN.

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

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815 SIXTEENTH STREET, N.W.
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August 16, 1965

From: Don Slaiman, Director, Civil Rights Department DS

Enclosed for your information is a copy of a recent speech which Clarence Mitchell, Director of the Washington Bureau, NAACP, gave at the Maryland State and District of Columbia AFL-CIO Convention.

Also enclosed is an article from the New York Herald Tribune that I would like to bring to your attention, entitled "Labor-Negro Alliance". This rather current editorial reflects the thinking in another article I have enclosed, from the February '65 edition of COMMENTARY, by Bayard Rustin.

Mr. Rustin, in "From Protest to Politics" discusses the future of the civil rights movement in the United States. "At issue", according to Mr. Rustin, " is not civil rights, strictly speaking, but social and economic conditions."

The article speaks of needs in the total American society as well as those relating chiefly to Negroes. No agency or group can achieve social progress alone according to Rustin. "We all need allies."

I think you will find these articles of considerable interest. If you have any further inquiries, please do not hesitate to contact us.

DS/DG/cr
Enclosures: 3

EVC - Coalition

Sep 5, 1965

Rights Movement Leads Hundreds to Join RWDSU

BIRMINGHAM, Ala.—The fight of Negroes in the South for social equality through the civil rights movement appears to be broadening into a fight for economic equality through trade unionism. At least, the experience of the RWDSU in the South in recent weeks indicates such a trend.

In four communities across the South—Griffin, Ga., Memphis, Dallas and Greensboro, Ala., large groups of workers, predominantly Negro, have joined the RWDSU within the past two months to fight for equality on the job.

In addition to the organization of 350 workers by Local 315 at Pomona Products in Griffin and the winning of a first contract for them, reported in the last issue of The Record, the RWDSU has signed up overwhelming majorities among the 300 employees of the Massengale Poultry Co. in Greensboro, the 275 employees of the Kimco Corp. in Memphis and the 250 workers of the Industrial Uniform & Towel Service in Dallas.

Ass't Southern Dir. Frank Parker hailed the drives as the beginning of a great advance for Negro workers in the South.

"Civil rights workers are now using a tactic that gives permanence to raising the standard-of-living of the Negro people," he said. "To demonstrate for the right thing is good; when you tie it to economics, it puts the gains on a permanent basis. This tying together of economic and political gains will produce the greatest lasting good."

Parker said that the RWDSU is proud that civil rights workers trust the union.

"The leaders of the civil rights movement have confidence that in the RWDSU all workers get the same treatment regardless of race or color," he said, "That is the reputation that our union has built over a long period of years."

Freedom March Brings 250 To Union in Ala.

GREENSBORO, Ala.—Spurred by last spring's freedom march from Selma to Montgomery and a voter registration drive among Negroes now underway in Hale County, 250 of the 300 workers at the Massengale Poultry Co.—all but 18 of them Negroes—have joined the RWDSU.

The NLRB will hold a hearing Sept. 8 on the union's petition for a bargaining election.

The company is using state troopers in an attempt to intimidate the workers, but its drive has had little effect.

Greensboro is 40 miles from Selma, the starting point for the freedom march last spring. This summer, civil rights organizations have been running a voter registration drive in this area—which is in the heart of Alabama's Black Belt—and a number of marches and demonstrations have been held in Greensboro.

Early last month a member of the Student Nonviolent Coordinating Committee (SNCC) called Org. Henry Jenkins—they had met in Selma recently—and asked if the RWDSU was interested in organizing Massengale, a chicken processing plant.

Jenkins said yes and set up a meeting with the workers at a Negro church Aug. 11.

"The meeting was kept secret because otherwise people would throw rocks and everything else," he said. "I passed out cards to the 50 employees there and all present signed. Twenty workers took more cards to the plant and when we met again on the 15th, they had signed up more than 200 of the workers. The petition was filed the next day."

'$30 or $35 is a Big Check'

Wages and working conditions in the plant are extremely bad.

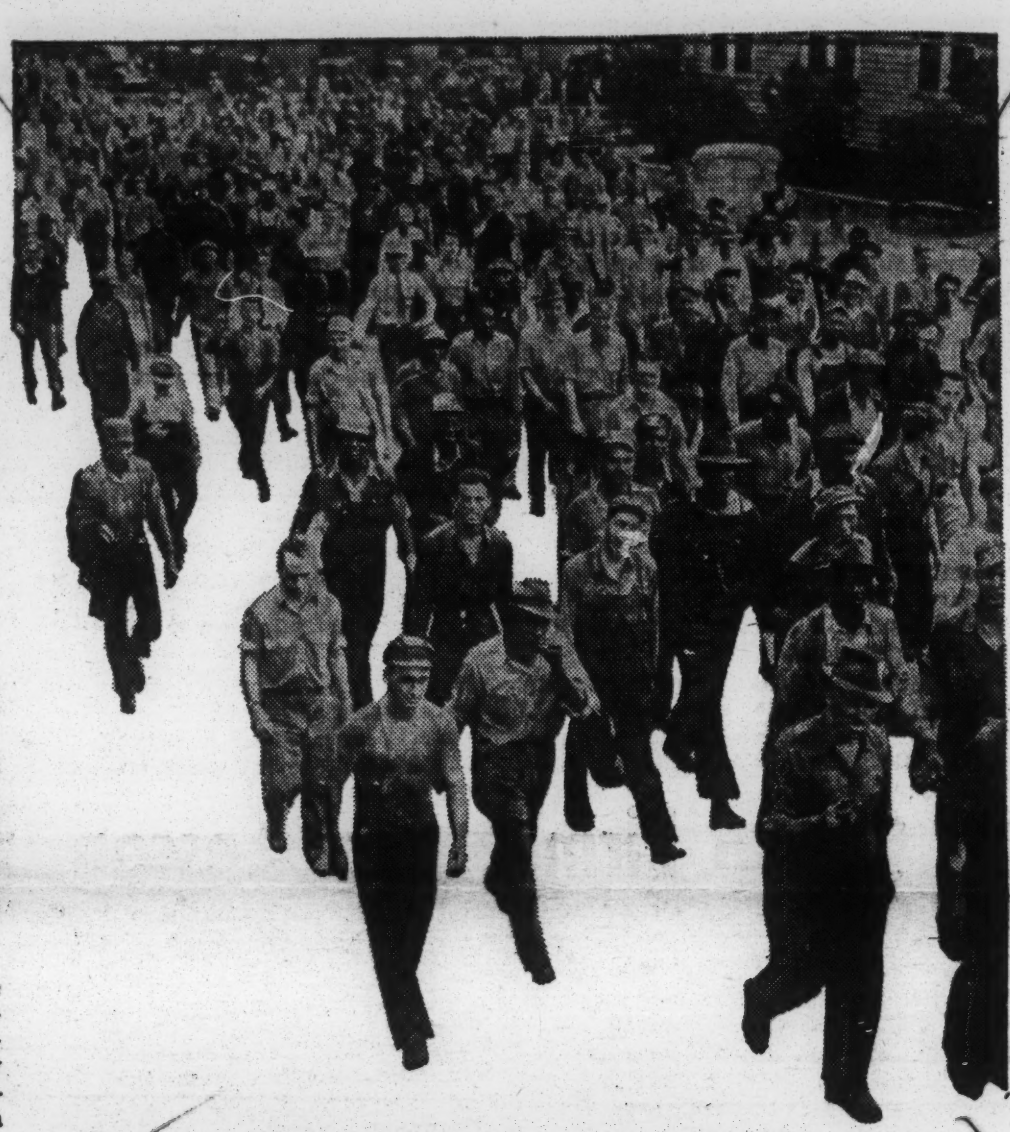
"Men go to work six days a week, all night and some of the day, and $30 or $35 is a big check," Jenkins said. "They work 90 minutes for an hour's pay. They're told they're being paid $1.25 an hour, but they're never allowed to check their time card. They're not allowed to punch their cards; the company punches all time cards.

"The company never lets them make more than 40 hours. There's no overtime. They get no vacations, no paid holidays, and if somebody gets hurt on the job, the company won't allow him to draw workmen's compensation. No one in the plant has ever drawn it.

"The company has a cafeteria at the plant. They were charging Negro workers more for food than the white workers."

The company has started an anti-union drive. It fired one worker with nine years' service who refused to spy on the union, and it is bringing two state troopers into the plant every day for several hours.

So far the union members at Massengale have not been scared away by the company, and signed cards are continuing to come in. More than 80 percent of the employees have joined.



Marching into the RWDSU: Southern workers are seeking economic justice through the union.

For 275 in Memphis, Union Means Decency

MEMPHIS, Tenn.—For the 275 Negro workers at three Kimco Corp. installations in Memphis, Sept. 22 will be an important day—a day that will mark the beginning of a fight against discrimination, intimidation and inhuman working conditions. It is the date set by the NLRB for a bargaining election.

The date also marks the fruition of an organizing drive that began June 1 when several Negro employees at Kimco, an auto parts outfit, contacted Earl Fisher, president of Local 19, and told him about conditions at the plants.

For the 275 workers, mostly women, working at Kimco is like driving slowly down a dead-end street. The hourly pay is always $1.35—after one year, after ten years, after 20 years. Their white co-workers start at $1.45, and go higher.

There are no seniority provisions for Negroes, and virtually no vacations. Each installation closes down for a period during the summer, but by transferring Negro employees from one installation to another, the chances for vacation are slim. Negro employees eat lunch standing up wherever there is room — the white employees have lunchroom facilities. There are no breaks during the day for Negro workers, and there are only the most primitive restroom facilities.

Union cards were handed out during the days following June 1, until the Kimco management got wind of the campaign. On July 16, ten employees were called in and summarily fired, several for "misdemeanors and bad conduct," some for "unsatisfactory work," and several two-year employees for "lack of work." In addition the usual union-busting tactics were employed — threats, lectures and more threats.

On July 17, Local 19 filed a petition for an election with the NLRB after getting the Kimco attorney to forego a hearing, and on July 29, the board granted the election request.

The organizing campaign has continued at Kimco despite the firings, and Wednesday night, Aug. 18, at a union meeting, close to 200 cards were collected, including those of five white employees.

"There's a very good chance we'll win this election," said Fisher, "and for these workers the union will mean the beginning of decency."

250 in Dallas Seek Justice On the Job

DALLAS, Tex.—The RWDSU has borrowed the hope and the technique of passive resistance from the civil rights movement, and it is using both in its campaign to win bargaining rights for 250 workers, most of whom are Negro women, at the Industrial Uniform & Towel Service plant.

"The civil rights movement has given the Negroes hope," Int'l Rep. Jake Stewart, who is heading the drive, said. "And now that they've seen labor's weapons — picketlines and demonstrations—work for the civil rights movement, they want to see them work for economic justice."

The hope for economic justice has brought every one of the workers, including eight whites, into the union.

"The whites' attitude is, 'we've worked with the Negroes all these years and we're going to stick with them now,'" Stewart said.

The NLRB has set a bargaining election for Sept. 7. The company has filed an objection, but the board in Washington is expected to turn the company down and order that the vote be held.

To counter one of the company's anti-union tactics, the baiting of workers by supervisors, the workers are practicing passive resistance.

"They let the supervisors 'cuss' them out and then they walk away when it's over," Stewart said.

In addition to the baiting, the company has interrogated Victor Marie Templeton, chairman of the union's 39-member in-plant organizing committee, several times; it has suspended Corene Hardin, the committee's secretary, for four days; questioned a number of union supporters and hired a notorious union-busting attorney.

"There's tremendous pressure on the workers, but they're standing up under it," Stewart said.

The union plans to file unfair labor practice charges against the company.

The drive, which is being conducted with the AFL-CIO's Industrial Union Dept., began in mid-June when Stewart started talking to one of the women leaving the plant. The woman was Mrs. Templeton, and within a month a majority of the employees had signed RWDSU cards.

Plant Conditions Very Bad

Conditions at the firm, which rents uniforms to industrial plants in the Dallas area, were described as horrible.

The workers start at 7 a.m. and never know when they will finish—they may get off at 2:30 in the afternoon or at eight that night. Before the union began organizing, there were no paid holidays and no breaks during the day.

Most workers earn only the $1.25 an hour Federal minimum.

"It's a pretty pathetic situation," Stewart said. "This is the financial capital of the Southwest, and this town is full of places like this. You're either real rich or real poor in Dallas, Texas. There's nothing in the middle."

14(b) Filibuster—the Mildest in History

What happens when argument is drained of passion and there is no conviction in appeal? The result must be very like the Senate filibuster on repeal of Section 14(b) of the Taft-Hartley Act, which began at noon on October 4 and will last until boredom overtakes all parties: which may be soon.

The Senators for and against invalidation of state "right-to-work" laws took their places like actors on a stage, speaking lines written by others to an audience which for the most part was not listening. It all could have been said 18 years ago, and was. Positions hardened then, when the Taft-Hartley Act was passed by a Republican Congress with the help of Southern Democrats, and nothing has happened in the intervening generation to soften the lines. The Republicans and the Southern Democrats are still for the state option on right-to-work. Now, they can command only 40-odd votes, just enough to filibuster. The Northern and Western Democrats are still against.

What has changed is the context in which the debate is taking place. The fine edge of labor's evangelism was dulled by its own leaders the year the Taft-Hartley Act was passed (over President Truman's veto). For the security of an established place in American life, organized labor sacrificed its position for social change. The young Senate liberals today look more to the civil rights movement than to the labor hierarchy, as the instrument for progress. They will vote for repeal of 14(b) – they are not anti-labor – but they cannot work up much enthusiasm about it. They will not fight day and night to break a filibuster.

Social acceptance for labor also brings a commitment from the biggest industries to maintain the current satisfactory relationships. General Motors has as little interest as the United Auto Workers in upsetting the coexistence, and politicians from industrial states undermine the status quo at their peril. Right-to-work lobbyists get most of their support from small-businessmen and Southerners, who have had little experience with unions and fear that organizing efforts will mean new power for Negroes, higher wages, lower profits, and all of that. They will take no chances – even though the chance that repeal of 14(b) will bring a flood of organization to the South is remote.

Labor leaders of two decades ago cannot communicate their emotional abhorrence of 14(b) to their Democratic friends. It comes out sounding harsh and hostile. The most outrageous example is a letter sent on the eve of the filibuster to many Senators by the International Typographical Union:

"Our patience is about exhausted with being double-crossed and the Senators ought to know that they cannot double-cross the labor movement again and get away with it." If necessary, the letter threatened, "the ITU will take part in mobilizing delegations that will make the civil rights demonstrations look like Sunday school picnics."

That was not composed to make friends, or keep them. Instead, it confirmed the opinion of some Senators, who have had no contact with the furious labor wars of the past, that union leaders are irrational, tyrannical, and undeserving of favors.

Labor's *idée fixe* on 14(b) has annoyed Senators who have different priorities for legislative business. Why isn't extension of coverage and increase in the minimum wage the first order of business? The minimum wage bill, which would be of immediate benefit to millions of workers, has not been reported out of the Senate subcommittee. Labor leaders are on record for it, but they have not devoted major effort to its passage this year.

"Union leaders have been talking about 14(b) as the 'slave labor act' for so long that they have a vested emotional interest at stake in repeal," a liberal Democratic Congressman said last week. "It's a matter of status and prestige."

Most of labor's friends do not share that concern for prestige. Foreign policy liberals are annoyed at labor's disposition to jingoism – on matters such as loading ships for trade with East-bloc countries, and "me-first" expressions of support for military adventures. One New York Democratic Congressman refused to vote for a pro-labor bill because the building trades unions, who would benefit most from it, discriminate against Negroes. Although officially labor supports the national civil rights movement, unions (except for the Teamsters, who are under anathema) have not been leaders in the fight.

It all makes the anti-repeal filibuster very hard to beat. The Democratic leadership, though mindful of its lack of votes for cloture, unwisely waited until every weapon of legislative coercion was disposed of before bringing up 14(b). Senators who might have held out against a filibuster because their pet bill was still untended, or were hoping for something from the pork-barrel, have no good reason for hanging on now. Senator Mansfield, the Majority Leader, does not want to hold around-the-clock sessions; he thinks such grueling schedules may kill off older and weaker members. On the other hand, freshmen members in the House, who went out on a limb for repeal (against their conservative districts), are unhappy at the prospect of another 14(b) fight next year, so close to election time. A group of them considered sending a House delegation to Mansfield to seek support for an all-out fight. They decided it would be useless.

As the filibuster wore on last week towards a test

This is the type stuff that needs to be answered — Problems

10/16/65

vote on Friday, it began to look like the 1945 World Series between Detroit and Chicago: in the middle of it, a sports writer decided that neither team could win. It was doubtful whether the filibusterers or their opponents could emerge with any feeling of accomplishment. It was probably the mildest filibuster in history. "The only thing that keeps me from voting to drop the whole thing forever," a Northern Democrat said, "is Strom Thurmond on the other side."

Andrew Kopkind

Looking into the Green Stamp Business

Last year Sperry and Hutchinson, the largest of the trading stamp companies, issued more stamps than the Post Office. In fact, some of their stamps went *to* the Post Office. Congressman Lester Wolff (D, NY) has discovered that government agencies, like everyone else, collect trading stamps. The General Services Administration, the buying agent of the federal government, spends about a billion-and-a-half dollars a year. Most of this money goes for wholesale purchases, and wholesalers generally don't give stamps. But for certain things, notably small retail purchases, car rentals, and the servicing of government vehicles, GSA does receive stamps. The agency considers them a nuisance and makes only feeble attempts to keep track of them.

But the stamps are as valuable as money (a book of 1,200 S&H Green Stamps costs service stations in the Washington, D. C. area $3.60), and Rep. Wolff estimates that stamps may raise the price of a consumer product by as much as two to three percent. They are not "something instead of nothing" as the stamp people contend, and they are not free. The government treats them almost as if they were.

A 1960 regulation requires that stamps be turned in to the agency buying them. If the agency itself has no use for them, they are forwarded to a veterans hospital where they can be pasted in books and redeemed for recreational equipment for the patients. But GSA, considering the stamps "more trouble than they are worth," has no provision for the formal reporting of stamps received by its employes and does not count the stamps turned in. An employe is "on his honor" to turn in the stamps, just as he is on his honor not to make personal calls on government telephones; and he is not supposed to take them home to his wife.

In 1962, the last year that a count was attempted, the GSA office for the region covering Washington, D. C., Maryland and Virginia collected only the equivalent of six books of trading stamps – this in an area where there are more than 3,000 GSA vehicles and where about half the service stations give stamps. (Government contracts with most of the major oil companies permit a government driver to stop at just about any station that is convenient). Now GSA makes a rough "count" by putting incoming stamps on a scale. In fiscal 1964 GSA amassed eight pounds of stamps. An agency spokesman said that this was a negligible amount, but that he "had to assume that all of the stamps were being turned in." It is impossible to say just how many of the stamps disappear and how much of a cash loss to the US Treasury this represents.

When Congressman Wolff asked GSA Administrator Lawson B. Knott, Jr., why the government does not execute contracts with retailers providing for a cash discount in lieu of the unwanted trading stamps, Knott replied that such a provision might put bidders not offering stamps in an unfair competitive position.

So the government is saddled with stamps it doesn't really want and doesn't quite know what to do with. Sending them to VA hospitals is just a way of getting rid of them. (A GSA spokesman with whom I spoke muttered something about licking stamps having some "therapeutic" value.)

Moreover, some purchases made with the stamps are dubious bargains. S&H in a national magazine ad it ran early this year asked the rhetorical question, "Is getting stamps better than getting a discount in cash?" and gave itself the expected answer, "Yes, because a customer receives more value from stamps than if she received an equivalent amount of cash. That's because," the ad continued, "stamp companies buy merchandise directly from manufacturers in large volume. In this way, they are able to give the merchant's customers more value in merchandise than if a customer got cash and spent it herself." Price comparisons by critics of the stamp companies do not bear this out. The Greater Washington Service Station Association compared the advertised prices of a number of items in a local department store with the catalog value of the same products. They multiplied the number of books required to buy an item by the $3.60-per-book rate service stations must pay for the stamps they "give" to their customers. A toaster advertised by the department store at $9.99 cost the equivalent of $25.20 in S&H Green Stamps. A blender sold retail at $29.88 cost $57.60 in stamps. A hair dryer advertised at $24.99 cost $43.20 in stamps.

Not all of those who give Green Stamps, however, pay as much for them as service stations in the Washington area do. According to Sperry and Hutchinson a chain of supermarkets doing a large volume of business may pay as little as $2.50 for a book of stamps. A customer who gets his stamps both at his neighborhood grocery store and the service station, therefore, would get stamps costing the merchants, on the average,

Suffrage - South

Am. Teacher Oct. 1965

COPE Opens Drive to Register Negro Voters in South

Coalition

Emory

American Federation of Teachers members can continue to help the civil rights movement in the South and elsewhere, AFT President Charles Cogen has announced, by "giving a buck to COPE.

"The Voting Rights Act passed by Congress this session will help make some Southern politicians realize that recent travesties of justice in the South cannot long continue," Cogen said. "But," he added, "this will happen only if enough now-disfranchised voters can be registered to vote."

COPE, the AFL-CIO's Committee on Political Education, is conducting an intensive drive in the South to help Negroes who have not been permitted to register before to register for voting.

COPE reports that in one Louisiana parish (county) registration has increased from 4 percent of eligible Negroes to 65 percent. This is a county in which federal registrars have had to work, because of local refusal to register Negroes.

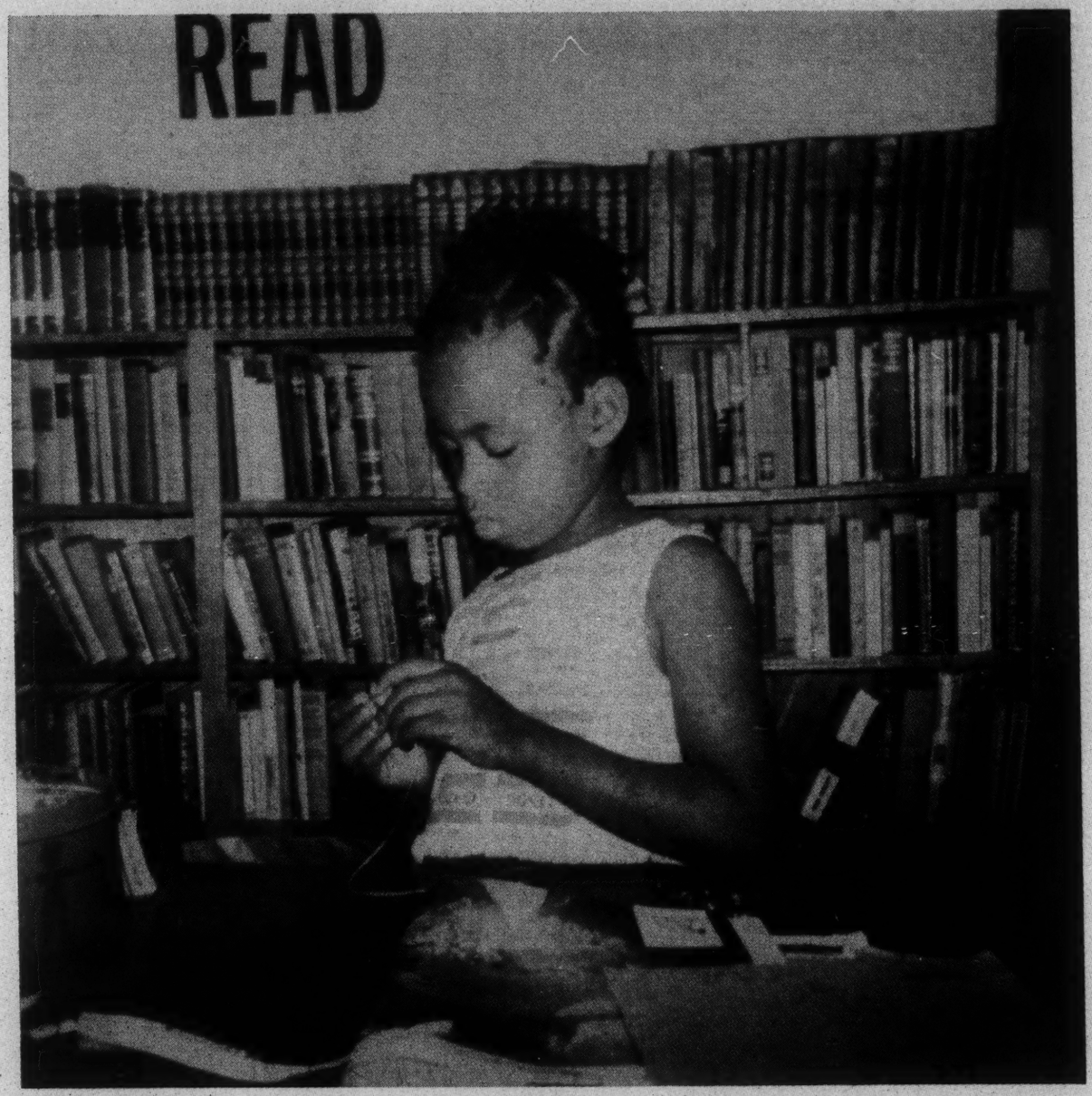
In a second group of counties, those in which local officials have opened up registration themselves, progress has in many cases been equally good. In Sumter County, Ga., 1,100 Negroes registered for the first time on a recent weekend.

However, COPE officials point out, there is a third group of counties in which nothing is being done, and registration remains at a standstill.

They emphasize the importance of full voting rights for all Americans not only as fulfillment of a basic national guarantee, but as a means of insurance that other basic rights will be preserved for everyone throughout the nation.

Oct 1965

Coalition



FREEDOM SCHOOL

By Eugene A. Kelley

The critics who continue despite the weight of evidence to deplore the labor movement's indifference to anything but bread and butter, should look at the latest in a series of union-sponsored community activities.

They could discover, for instance, the past summer's Freedom Schools in the Deep South—an activity by the American Federation of Teachers that brought hope and courage to several thousand Negroes of all ages who were desperately in need of the kind of reassurance these schools offered.

All the rules of physical criteria for schools were waived in the Freedom School project. The classroom was as likely to be a crossroads church as it was to be a humble dwelling or a store with makeshift accommodations.

The faculties—mainly AFT members from larger cities augmented by volunteers—received stipends of about $10 a week, barely enough for existence. Most of them dipped into their own savings to accomplish a job that sorely needed doing. They lived with the families of their students and most of all, in some areas, they lived under the constant threat of physical harm.

Teachers Union Southern Project brings education where doors were closed before.

There was no formal curriculum. Subject matter varied from place to place, with only such common denominators as teaching of practical skills, Negro history, self-expression, political education and creative action. Teachers were free to select their own subjects with the advice of the class. There were none of the formal school trappings like report cards, principals, or attendance sheets.

The AFT's Freedom School operation was divided in two parts. Coordinating their activities in Gadsden, Ala., and Quincy, Fla., with Rev. Martin Luther King, Jr., and the Southern Christian Leadership Conference for the first time, the AFT established two schools. In Florida they helped with the SCLC voter registration drive and with the Southern Community Organization and Political Education (SCOPE).

It was in Mississippi, though, that the AFT projects achieved their most notable gains. Twenty-six Freedom Schools, staffed by some 30 teacher-volunteers from every part of the country, reached out to more than 2,000 people from the capital city of Jackson to remote rural hamlets.

Two AFT members, Arthur and Carolyn Reese, from Detroit coordinated the schools working closely with the Mississippi Freedom Democratic Party.

The personal hazards involved were made clear to every volunteer. Security bulletins were issued to all personnel with cautions against travel by night, appearing in windows of Freedom Houses after dark, giving police the names of friendly local people, and the avoidance of bizarre or provocative clothing and beards.

Threats against the person and property of the volunteers were common. In Issaqueena City, Miss., the Freedom School held in a church was put to the torch and leveled one night.

Despite all this, the work of the schools was carried out. Teachers soon learned that the most

Some of the children who attended the freedom schools.

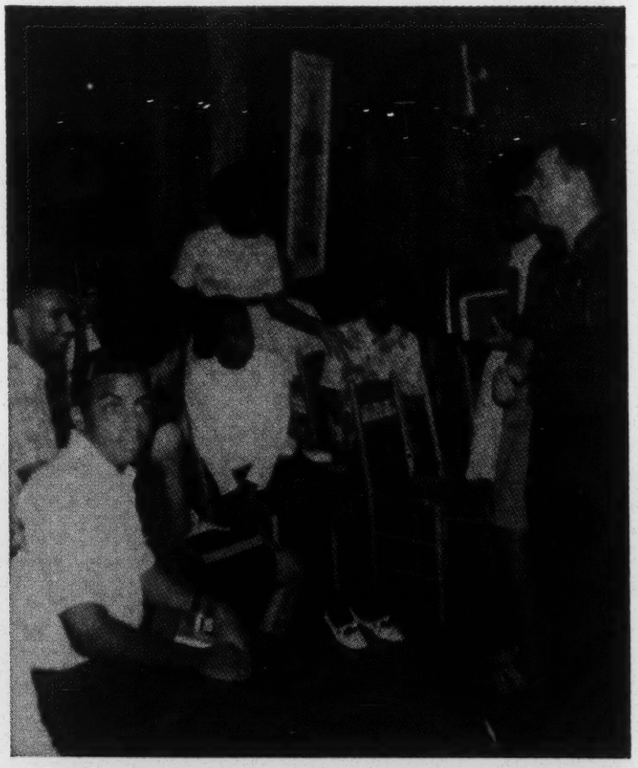
popular area of interest was the history of the American Negro—a course giving to previously unaware people a new knowledge of their heritage and contributions.

Next in importance to the students of all ages was political education. They wanted to know who could help them and how, they wondered about what they could expect from the Civil Rights Act.

Valuable lessons discovered in Mississippi in 1964 and in Prince Edward County, Va., two years ago, were put to the test by the AFT volunteers this year. The teachers *learned* as they taught. They sought to draw out the students, to hear from them about their needs, their hopes and even their fears.

Self-expression was encouraged in many ways. Some of the Freedom Schools published their own mimeographed newspapers in which the students articulated problems closest to their hearts. In

Photo: A.F.T.



Freedom schools gave a new meaning to the word for many this past summer.

Canton, Miss., the school led by Nancy Polin and Nancy Lester, AFT teachers from New York City, put out the *Youth Freedom Voice* whose main concern in one issue was an attempt to use the facilities of the public library.

In Amite County, Miss., the Freedom School is named for Herbert Lee, a Negro gunned down in broad daylight by a state senator. To Negroes he is a martyr, killed because he persisted in his efforts to become a registered voter. The Freedom School at Pilgrim Church in Amite County was directed by Sheridan Peterson, an AFT teacher from Seattle, and its publication is understandably concerned with Negro voting rights.

There were health and hygiene classes in all of the schools. The Reeses conducted a secretarial school in Jackson, Miss. Any vehicle that would give confidence and self-expression was tried. In one area a folk festival found Negroes 75 years and older singing folk songs, playing harmonicas and strumming banjoes in the true Mississippi Delta style.

In all the discussions there were patient efforts to impress local groups with the necessity for keeping up the schools' momentum so that none of the ground so painstakingly won would be lost through neglect. As a result, there are now some year-round Freedom Schools with local high school students replacing the teacher-volunteers who have returned to their own classrooms.

Much of the cost of the Freedom School project was financed by contributions from AFT locals, with generous assists from other unions and individuals. Advertisements early in the season pointed out that $10 would provide six to eight weeks of schooling for a Negro youngster, $100 would buy a bus ticket for a Northern teacher and pay her entire summer's expenses. A $1000 gift would open and sustain a school for the summer.

AFT President Charles Cogen pointed out that "this was a free project—all on its own—not connected with any governmental authority." He added that the possibility of later federal assistance through anti-poverty legislation was under study.

Cogen said the volunteer teachers were cautioned to confine their activities to the educational aspects of the civil rights effort and to avoid involvement in local civil rights campaigns. The Freedom Schools, he went on "exist not in competition with public schools, but out of love for the idea of free—really free—public education."

The need for Freedom Schools will continue as long as quality education is not available to all children. The AFT recognizes the need and its convention in August urged greater efforts for the summer of 1966.

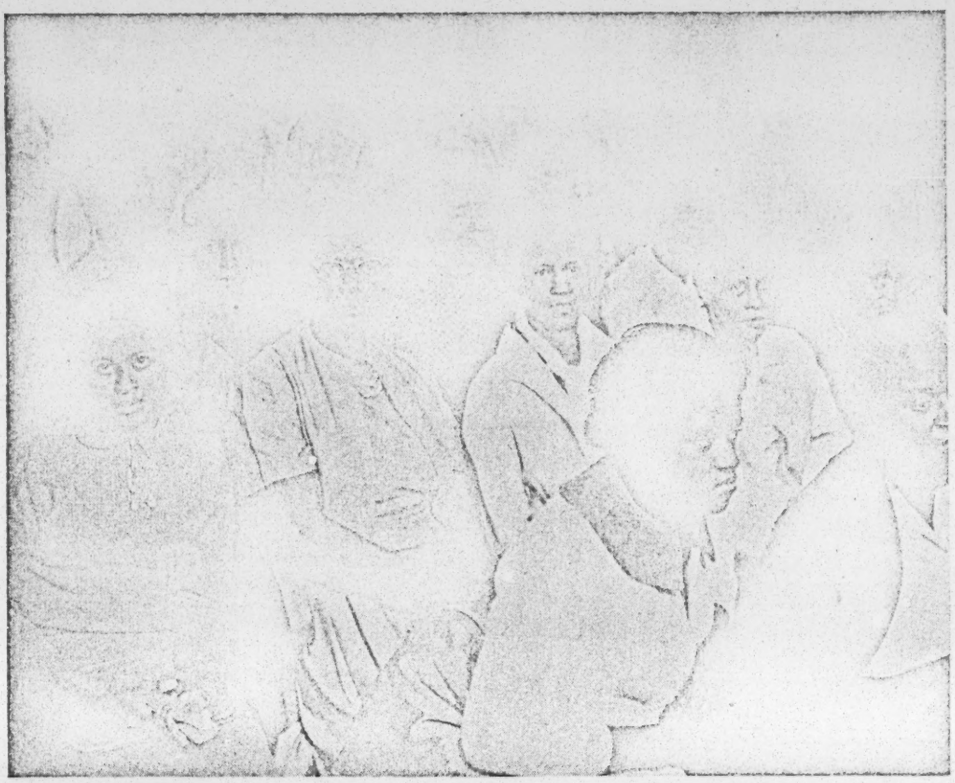
Cogen expects that more of his members will staff Freedom Schools next year. "We went into the South," he said, "as much to learn as to teach, to be inspired as to inspire, and to have our own stereotypes demolished as to tear down Southern prejudice."

Eugene A. Kelley, author of this article, is a longtime reporter of labor's activities.

Nov 13, 1965

Negroes in South push to sign up

Organizing is gaining momentum as result of ferment on civil rights



Southern Negroes, shaken out of apathy by civil rights movement, show new interest in unionism. These poultry workers meet in a Greensboro (Ala.) church.

Time and again, unionists have prematurely predicted the organization of the South.

Today, it may actually be happening—in a manner few predicted.

Southern Negroes are joining unions as an outgrowth of the civil rights movement. Sometimes the connection is direct. Negro workers at the Pomona Products Co. food packing plant in Griffin, Ga., signed membership cards in the Retail, Wholesale & Department Store Union while picketing the plant to protest the firing of a Negro who had used the white drinking fountain. Sometimes the connection is indirect—a matter of a new willingness to defy Mr. Charlie, union officials say. Either way, the situation offers organizing possibilities that didn't exist a year ago. Unions have reacted by hiring more Negro organizers.

Moreover labor officials insist the civil rights movement has also brought white Southerners into unions by teaching them the value of organization.

"They've learned from the Negro that the way to improve conditions is to join an organization and push," one official says.

Less static. Whatever the explanation, the facts are clear. Unions whose Southern membership had remained static or grown by handfuls during a decade of rapid industrial development now report substantial increases during the past year, often the past few months. A sampling:

- RWDSU claims 17,000 Southern members; 1,500 of them joined since June.
- The independent International Union of Laundry Workers claims 7,000 Southern members; 2,000 of them joined during the past year.
- The International Chemical Workers Union claims 15,000 Southern members; 2,000 of them joined during the past year. This includes the 800 employees of Scripto, Inc., 700 of them Negro, who walked an Atlanta picket line with Dr. Martin Luther King last winter. A "discriminatory" wage increase—2% for unskilled workers (mostly Negro) and 4% for skilled (mostly white)—led both to King's participation and the union's success.
- The American Federation of State, County & Municipal Employees claims 4,000 members in Georgia; 1,000 of them joined during the past year.

Old Confederacy gains. In all cases, Negroes make up a healthy percentage of these unions' Southern membership, ranging from 35% for RWDSU to 90% for the Laundry Workers. Five years ago, AFSCME's Georgia membership was 15% Negro. Today it is 40%.

Records of National Labor Relations Board elections in the 10 states of the Confederacy tell a similar story of increased receptiveness to unionism.

In fiscal 1963, 87,085 workers cast valid votes in NLRB collective bargaining elections. The unions won in bargaining units whose total work force numbered 44,372. In other words, 51% of the workers who participated in NLRB elections wound up with union representation.

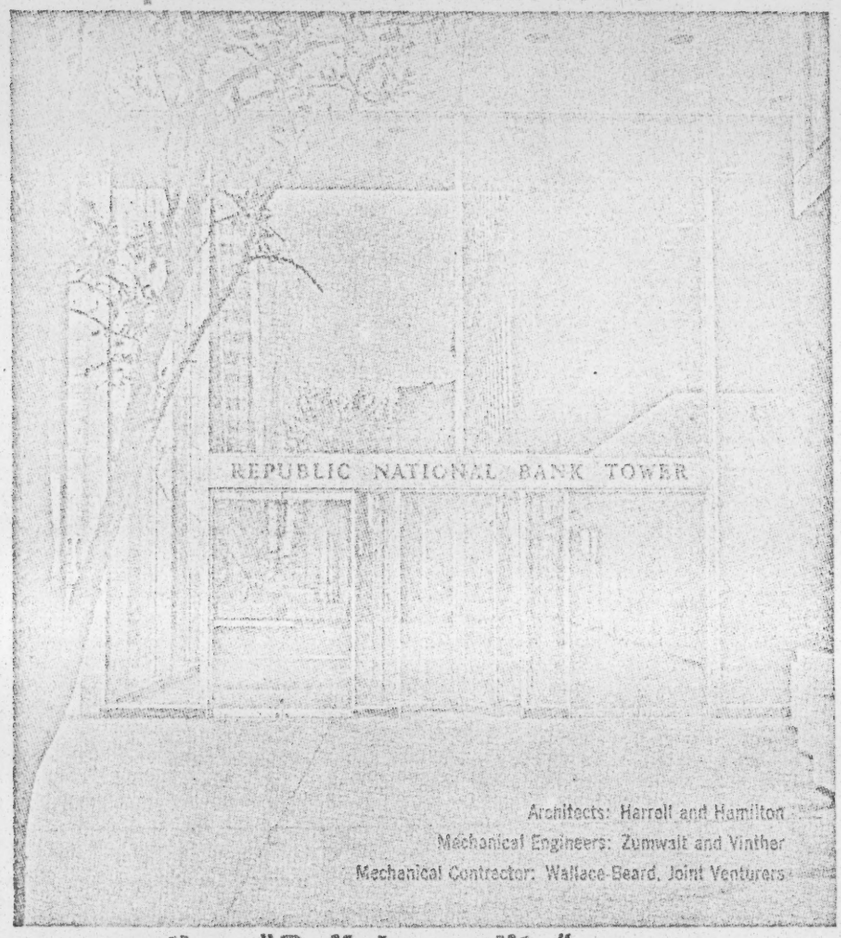
In fiscal 1965—which ended June 30—99,351 workers cast valid votes in Southern NLRB elections. The unions won in bargaining units whose total work force numbered 67,104—67%.

The change is less striking when one compares the number of elections won rather than the number of employees covered in winning elections—635 out of 1,138 (or 56%) for 1963; 761 out of 1,286 (or 59%) in 1965. This suggests that union prospects are improving more quickly in large plants than they are in small.

Phenomenon. Even more significant in the view of historically minded unionists, a fair number of the newly organized plants came in "cold." Such plants have no previous record of organizing attempts and, often, no employees who ever worked in union plants elsewhere. They simply respond to their first contact with an organizer by joining the union. It took the RWDSU just three days to sign up the bulk of Pomona Products' 350 workers after hearing about their picket line from the NAACP.

This is phenomenal, especially in the South. There unions have hammered at their targets in campaign after campaign, sometimes with

Republic National Bank Tower



another "Buffalo-quality" air conditioning job

Air conditioning the new 50-story addition adjacent to the 36-story Republic National Bank Building in Dallas, Texas, presented several unusual problems. For example, the systems for the two buildings had to be integrated, and a variety of environmental requirements were encountered in the new building. Buffalo's comprehensive line of air conditioning equipment was able to meet every requirement. In the Tower, over 75 'Buffalo' factory-fabricated air conditioning cabinets handle interior zones. 'Buffalo' fans and coil units serve peripheral zones through a high pressure system. This is one more example of the confidence engineers and contractors place in 'Buffalo's' engineering and fabricating capabilities. For quality equipment correctly applied, see your Buffalo Engineering Representative. He's in the Yellow Pages of the business center near you.

BUFFALO FORGE COMPANY
BUFFALO, NEW YORK
Canadian Blower & Forge Co., Ltd., Kitchener, Ontario

AIR CONDITIONING CABINET HEART OF THE SYSTEM

Air Handling Equipment • Centrifugal Pumps • Machine Tools • Process Equipment

years in between, before painfully amassing a majority.

Large numbers of workers last signed up cold during the great organizing surges of the 1930s in the urban North. Perhaps the South is on the verge of a similar period, some laborites suggest.

Many reasons. Others offer more mundane explanations for union successes. Quicker NLRB elections give employers and anti-union communities less time to wear down union loyalties, one official notes. Others observe that some Southern employers, particularly those connected with national chains, no longer fight so hard.

Another school holds that it's natural for Negroes to join unions once they get over their fear because "they know they belong to the working class—there's no status problem there." And certainly it's true that recent Negro—and white—union recruits work mainly at unskilled, low-paying jobs.

Moreover, tarring unions with the civil rights brush is not the foolproof anti-labor technique it used to be, now that employers must avoid overt discrimination themselves if they want to keep government contracts—or simply keep out of trouble.

Natural direction. Overriding all these explanations is a more basic one: that industrial civilization inevitably brings unionism, and that the time has come for the South. A veteran organizer explains it like this.

"Of course, the civil rights movement has had a tremendous subliminal effect on the Southern worker. It's replaced the old fatalism with a new object lesson: Here are people even more downtrodden than he, helping themselves through their organizations.

"But the Southern worker would be moving in our direction anyway. He's been off the farm long enough. That $1.25 an hour doesn't look so great any more. He's seen other plants around, he's met other kinds of people, he doesn't think the boss and the jackleg preacher between them know everything.

"He's ready to join the union on logical grounds, and he won't be scared off so easily by talk of Red agitators or race mixing."

This official believes that a period of Southern membership growth lies ahead even for those unions—like his, the International Ladies' Garment Workers' Union—that have registered little organizing improvement so far. It's implicit in the new steadfastness shown even in losing campaigns today, he says. **End**

Coalition
Mississippi

Nov, 1965

Re: Miss. Dem. Conference

Robt. Ozwell (?) (~~Pasagoula~~ Pasacagoula)

resigned as Chairman with statement that Conference was not a Civ. Rts. organization and was paying too much attention to such matters — resigned with a public statement —

Probably Charles Evers direct action work & Ozwald's (?) Practical pressures (law firm — Partner Weisenberg (?) hoped for Fed judgeships — didn't get it, so Ozwald didn't get law firm — & some pressures on them) ran head on —

Aaron Henry & Ozwald & Ramsey & Rd. Mike of Miss ARC had all been

gone to Washington on more than one occasion - meeting with Nat'l Dems & pol. leaders (white house included) - got consideration & some hand in "patronage" and made dog ("vets" in poverty) - Should have had more going between them than to allow an open break - Oz would evidently pressed for a public statement from Conference that not encourage illiterates to vote, not push for Fed. registrars in every County (which NAACP would have supported) Oz would talked with

(3)

. . . .

Frank Smith — Smith with
Kerlear — Smith felt that
Ramsey too far in to back out
so rich with NAACP —

Labor & Race & South

budding
maturing } Coalitions

Press to organize —

low pay industries
RWDSU
ILGWU

Civil Rts Law — Voting Law

Reapportionment — the rising urban vote

National pressures —

from AFL-CIO
Committment to ideals
role & image
Nat'l Coalition — Dem's

Staying Square with labor

Internally pervasive in labor movement

But labor pressure, thought, & organization a major factor in the process of passage of civil rights legislation & specifically in the area which touches it most directly — FEP & Union design.

But minority internationalists of union's broader role

State Party Staff
& Nat'l Rep role
differentiation

Low income syndrome

The Pressure of Initiative — Civil rts movement dynamism vs labor stodginess — dark overplay —

Education

Civ Rts & So. Civ Rts
Dedication to movement
Perspective on how to aid Union while facing its problems

Despite Hall-AFL-CIO "feud" local alliances in South are "improved" — indeed, "exist" for first time —

Not to Rep unrelated in this discussion is fact that 23 Rep Congressmen of 89 in old South voted for Voting Rts Bill

CIO Rts & Liberals hanging together
Some unions (or some men) too slow
on race, so we are bad —
here South can't spread — multiply — know
also desire for peace & bottom action —
George Meany fell there & all do right —
unless what we know about organizations —
But the savvy of keeping the
pressure on where you know
how to apply it.

Labor members of

S.R.C. — Brown, Christopher, Ramey, Becker

State H. Rels. Comisis

State Civ. Rts. Advisory Committee

Community Rels — Service

National Citizens Com.

Wm Becker, Ark.

E.L. Abercrombie — V.P. Landry Lolly Thierly Akers (Ind)

Paul Christopher — Tenn

Mathew Lynch — Pres Tenn Labor Council

Hank Brown — Texas AFL-CIO

Address by A. Philip Randolph

on

Civil Rights Resolution

Before Sixth Constitutional Convention, AFL-CIO

December 13, 1965

It has been two years since I last stood before this convention. These have been eventful and dramatic years for the Civil Rights Revolution. Indeed, the social and political landscape of the entire country has been changed.

We have won the passage of two historic pieces of legislation -- the Civil Rights Act of 1964 and the Voting Rights Act of 1965. Thus, after centuries of slavery, segregation and discrimination, the American people have spoken out unequivocally -- not merely on behalf of the Negro but in the name of democracy itself. For when men are denied, on grounds of race, the elementary rights of due process and the right to vote, the moral foundations of that society are in doubt.

These victories are, first and foremost, the fruits of the struggle of the Negro people themselves. History will record that our gains, like those of labor, were not handed down from above but were wrested from reluctant hands through courage and sacrifice, often of limb and life.

Medgar Evers, William Moore, James Chaney, Michael Schwerner, Andrew Goodman, Lemuel Penn, Jimmy Lee Jackson, Mrs. Liuzzo, Reverend James Reeb, Jonathan Daniels, the four young girls of Birmingham -- these are but some of those -- black and white, Catholic, Protestant and Jewish -- who have made the ultimate sacrifice in the cause of freedom. President Meany, I request that this convention rise for a moment of silent tribute to the memory of these freedom fighters...

Brothers and sisters, we know that more than courage and determination were required to secure the civil rights legislation. Mass action had to be mobilized. The great Selma-to-Montgomery March, which captured the conscience of the nation and the attention of the world, generated the dynamism behind the Voting Rights Act of 1965. I am proud to tell you, brothers and sisters, that perhaps no single group was so distinctively and honorably present on that occasion as the representatives of the labor movement. President Meany sent Don Slaiman, Director of our Civil Rights Department, with a delegation that included, among others, Dave Sullivan, Robert Powell and Charles Zimmerman.

And so, on the very steps of the capitol of Alabama, labor's voice was raised high and clear in the name of freedom. President Meany, I participated in that historic event, and I can tell you that nothing so inspired the embattled Negroes of Alabama with courage and confidence as the visible and dramatic support of the labor movement in those glorious days.

Not only in Alabama but in Washington, the political power and skill of the Negro's allies were indispensable. The fact of the matter is, brothers and sisters, that the AFL-CIO -- under the able and forthright leadership of President Meany, Brother Reuther and the Executive Council -- did the yeoman's job of lining up Congressional support for the civil rights legislation of the past two years.

Special recognition is due to Andrew Biemiller who, working side by side with Clarence Mitchell, of the National Association for the Advancement of Colored People, and Joseph Rauh, of the Industrial Union Department, coordinated labor's lobbyists on Capitol Hill. Without their tireless efforts, we might not have won the battle. Let these hard facts be properly noted by the hostile critics of the labor movement who profess sympathy for the cause of racial equality.

Brothers and sisters, the Resolution on Civil Rights which is before you is a commendable document which reaffirms labor's

commitment to racial justice and equality. It emphasizes what labor knows from experience -- that the passage of good laws is not sufficient, that the laws must be vigorously and effectively enforced. The agencies responsible for administering the laws must be given the resources to discharge their responsibilities firmly. Where necessary, the laws must be strengthened through amendment.

But we also know that the work of the civil rights movement has just begun. We rightly demand of the government that every barrier to the Negro's full participation in the nation's political life be struck down. Once those barriers have fallen, however, it is our task to mobilize the masses of Negroes at the ballot box.

This is labor's task as well. For when the full political potential of the Southern Negro is realized, the face of Congress will be radically changed. The Dixiecrat politicians who have joined with conservative Republicans in opposition to labor's legislative demands will have to sing a different tune -- or find other jobs. Moreover, brothers and sisters, I submit to you that in the continuation and expansion of the Negro voter registration campaign in the South lays the foundation for labor's drive to organize the unorganized in the South.

The last two years have plainly demonstrated that the Negro-labor alliance is not a one-way street. Virtually the entire national Negro leadership has put its weight heavily behind the Congressional campaign for repeal of 14b, for a 2-dollar minimum wage, for extension of the Fair Labor Standards Act, and for other labor demands. They have testified before Congressional committees and their testimonies have been published and widely distributed by the Randolph Institute.

When the Negro leadership speaks out for labor's demands, they are not merely making a gesture in return for labor's support of civil rights. Rather we are bound together in a coalition of mutual interest.

Negro workers need and demand the repeal of 14b now! And they know why they want it. They know that repeal of 14b helps clear the way for unionization of the South. They know that repeal of 14b is a step toward economic security and better living standards. They know that repeal of 14b means greater dignity on the job - freedom from exploitation and intimidation.

And they know full well where the die-hard resistance to repeal of 14b is coming from. It is coming from the greedy profiteers and the reactionary politicians who have tried to block the Negro's advance every step of the way. That is why, in Oklahoma and other states, the Negro vote was decisive in defeating so-called right to work laws. And I can promise you, brothers and sisters, that throughout this land, the Negro revolution will join hands with labor in saying to the next Congress: Repeal 14b now!

And we say, too, that if there is any single step that will raise Negroes out of poverty, it is labor's demand for a national $2 minimum wage. In this land of affluence, in the year 1965, two out of every three Negro families live in poverty and deprivation. In part, this fact reflects the astronomically high unemployment rates in the Negro community. But in most cases, the head of the Negro family is working -- forty hard hours a week. He does not need to be lectured about self-help. Give him a decent wage, and he will be able to help himself. He will be able to keep his family together, to educate his children, to contribute to the well-being of the community. And he will be in a stronger position to struggle effectively for the dignity and the rights which he has been denied.

A national $2 dollar minimum wage, extended to millions now uncovered, would redress a shame of the nation. It would mean a revolution in Southern racial and economic relations. It would weaken the position of runaway plants that locate in the South in order to escape unionism and exploit a cheap labor market. In many Southern towns and cities, such companies become entrenched in the local power structures and fiercely resist civil rights efforts to change the status quo. The impact of a $2 dollar minimum wage on the ghetto-entrapped Negroes of the North would be no less revolutionary.

In short: if the civil rights revolution is to have meaning outside of the South -- in the teeming slums of the cities, in the industrial centers of the nation -- the needs of the dispossessed Negro masses must be hitched to the economic demands of labor.

More and more, the Negro leadership recognizes that of all the mass institutions in the nation, the labor movement holds out the greatest hope for progress in the daily conditions of life in the Negro community. Yet they do not forget for one moment that labor's own house is not yet entirely in order, that segregated locals and discriminatory practices still exist in some unions. The eradication of these conditions, noted in the Resolution before you, must be high on your priority list in the coming year. We must not permit the existence of any barriers to expanded cooperation between labor and the civil rights movement; and we must not give any ammunition to labor's enemies.

The Civil Rights Department is to be congratulated for the vigor and effectiveness with which it has labored to eliminate the remaining discrimination in our ranks. Even before Title VII, the fair employment section of the Civil Rights Act, went into effect, the Department was hard at work preparing international unions to cooperate in obtaining compliance with the law. At the same time, the AFL-CIO has called for a strengthening of the enforcement machinery of Title VII.

But more than your congratulations, Don Slaiman and the Civil Rights Department need your active support. Union locals must be encouraged to utilize the valuable technical assistance the Department can provide.

Brothers and sisters, two years ago when I stood before you, I spoke of the impact of the technological revolution and its economic dislocations on the Negro community. I said then that large sections of the community, unskilled and uneducated, were being rendered economically obsolete and deprived of social dignity. I spoke of a growing underclass, lacking hope and leadership, bereft of any sense of a stake in the total society. And I said then that, if we listened carefully, we could hear the rumblings of that underclass.

I do not need to tell you that in these two years those rumblings have exploded into thunderous and wildly destructive violence, from the tenements of Harlem to the slums of Watts. That violence cannot be excused or defended, for it took a larger toll in life and limb than has the nonviolent movement in the South -- and with less to show for it. But it serves no purpose simply to denounce the riots without trying to understand their causes. For, of this much we can be certain; if those causes are not identifed and uprooted, radically and finally, we will be courting disaster.

Let me say that I have been greatly encouraged by President Johnson's speech at Howard University and by the Department of Labor's study on the Negro family. Both move in the right direction of pinpointing the social and economic roots of the Negro's discontent. To further explore these roots, the President has, as you know, scheduled a special White House Conference, of which I have the privilege of serving as honorary chairman.

This conference will give special attention to the problem of Negro family instability. This, brothers and sisters, is a major problem with deep historical roots. Under two centuries of slavery, the Negro family was systematically destroyed. The right of Negroes to marry is barely one hundred years old. Following slavery, a system of segregation was introduced which denied the Negro family, particularly the Negro male, even the rudiments of economic security. To this very day, many of our welfare laws encourage family desertion by Negro males.

I do not have to tell you how family breakups encourage delinquency, crime, school drop-outs, and many forms of destructive, anti-social behavior. But when all of this is said, the question remains: How do we strengthen the Negro family and the fabric of the Negro community?

Here again, I think the labor movement knows the answer at least as well as the sociologists and psychologists and other experts. The answer is jobs -- decent jobs at decent wages. We know that when the Negro unemployment rate dropped during World War II, so did the Negro rate of divorce, or illegitimacy, and other indications of family instability. And so, brothers and sisters, the answer to Negro family instability and to Watts is the enactment of labor's programs for full and fair employment.

The record of the last ten years will show that we cannot look to the private sector of the economy to achieve the goal of full employment. But we can meet that goal through expansion of the public sector -- through meeting the vast unmet social needs of the country. We can put the unemployed back to work by clearing our slums and rebuilding our cities, by building schools and hospitals, by modernizing and expanding mass transit facilities, by investing in flood control and by combatting air pollution. We can open new jobs for the poor by expanding our social services.

We can achieve full employment by tearing down the physical environment of poverty and building a great society in its place. It was with this concept in mind that I proposed, at the planning session of the White House Conference, a national Freedom Budget of 100 billion dollars. This is a feasible and realistic budget, which has the support of leading labor economists. We have the means; we lack only the social imagination and the political will.

This is, above all, an imperative budget if we are serious about building the Great Society. As President Meany has said, "We must not let money stand in the way." Either we decide upon massive social investments now, or we face the incalculably more costly alternative of social disintegration and violence. In the long run, it is the budget-balancers and the tight-money boys who will prove to be the most impractical. Let me say right here that the recent action of the Federal Reserve Board may do more to dry up job opportunities for Negroes -- not to mention whites -- than the most overtly racist discrimination.

Brothers and sisters, I cannot close without commenting on a great danger that may lie ahead. In times of war or international crisis, as you know, there is a tendency to divert attention away from crying domestic needs and problems. Even now there are those who would exploit the perilous situation in Vietnam for their own narrow political purposes. Already we have heard the reactionary voices of Senators Stennis and Russell and other segregationists. They call for a cut-back in the war on poverty; they would push the struggle for racial equality off the stage of history; they feel strengthened in their opposition to labor's struggle for industrial democracy.

These tendencies must be vigorously fought. As President Meany has said our efforts to resist Communist totalitarianism will require sacrifices and impose burdens. But those sacrifices and burdens must be evenly distributed.

We must not place the heaviest loads on those least able to bear them -- the poor and dispossessed, black and white. We must not now dash their new hopes for a place in the sun. We must press forward the struggle for justice and democracy at home while we pursue it abroad.

In recent weeks, the Negro leadership has gathered together to discuss the objectives and directions of the civil rights movement during this difficult period of transition. They have concluded that we need to press forward on three major fronts. First is to achieve economic security for the Negro family through full and fair employment. Second is to see to it that the civil rights legislation is vigorously implemented. Third is to secure full protection of individuals in the exercise of the constitutionally-guaranteed rights. There must be an immediate end to the brutalization and murder of civil rights workers, and to a discriminatory jury system which makes a mockery of justice.

President Meany, the Resolution before us speaks forthrightly and directly to these concerns of the Negro leadership. Not coincidentally, but by indisputable social logic, the forces of labor and civil rights again find themselves on the same side of the struggle for justice.

Brothers and sisters, I urge the adoption of the Resolution on Civil Rights.

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Coalition

Press Release
January 11, 1966

Brotherhood of Sleeping Car Porters
217 West 125 Street, New York, N. Y.

File

NEGRO AMERICAN LABOR COUNCIL
SHIFTS FROM STRATEGY OF ATTACK
TO ALLIANCE WITH UNION LABOR

At the first meeting of the National Executive Board of the Negro American Labor Council in 1966 for the reformulation of policy, program and strategy, the position was adopted to shift from its original strategy of attack upon the AFL-CIO on account of race bias to one of alliance and cooperation, because of its change in policy and program to wipe out racial discrimination in the House of Labor. The Negro American Labor Council will continue to combat specific conditions of color bias in unions wherever they may be found, stated A. Philip Randolph, President of Negro American Labor Council, at its headquarters in New York City, today.

The Board was highly conscious and insistent upon the need of stepping up pressure for the implementation of the Civil Rights Act of 1964 and the Voting Rights Act of 1965, for legislation enabling Negroes in the south to serve on juries, and for the protection against violence and murder of civil rights workers.

The Council called for no slowing down in the civil rights revolution. There was, however, general and strong sentiment for shifting emphasis by the Civil Rights movement from conventional civil rights demands to one of focus on economic issues, principally jobs. There

was an expression of some serious concern about the effect of automation upon the future of the black workers who are largely without skills, training and education.

While, the business of eliminating racial discrimination has yet a long way to go, the Board acknowledged that some progress has been and is being made, through a consistent and constant educational action campaign in city central bodies, state federations, national and local unions under the leadership of George Meany and Walter Reuther. Moreover, in terms of political realities, it was felt that it is virtually impossible for the Civil Rights movement to achieve its objectives without the support of labor, in the economic field. Nor can labor win its battles without a coalition with the Negro and liberal forces.

Other objectives of the new program discussed and vigorously urged included: (1) The appointment of a Negro to membership on the AFL-CIO Executive Council, when the next vacancy occurs; (2) placement of Negroes on policy making bodies of national unions, City Central and State bodies; (3) appointment to staff, professional and clerical positions; (4) fight for repeal of Section 14B of the Taft-Hartley Act; (5) join in War on Poverty; (6) cooperate with the AFL-CIO Committee for Political Education to wage a massive nation-wide registration drive, especially in the south to elect a Civil Rights Congress in 1966; (7) support of a minimum wage of $2 an hour, with unlimited and extended coverage applicable to every state in the United States;

(8) massive public works program to provide more jobs; (9) integration of Negroes in apprenticeship training programs; (10) support of the on-job vocational training for integration of Negro workers in mass production industries presented by the Cleveland Chapter of the Negro American Labor Council; (11) support of Transport Workers Union strike; (12) program for organization of the unorganized black and white working poor, especially in the south; (13) an abolition of the Black Ghettoes which will bring billions of dollars into the homes of black and white workers and provide low-cost and middle-income housing for all Americans.

Plans are being developed for a delegation of the Negro American Labor Council to go to Washington to assist the AFL-CIO in its campaign to eliminate Section 14B of the Taft-Hartley Act.

The next national Convention of the Negro American Labor Council will be held in Baltimore, Maryland, May 27-29, 1966. Troy Brailey, President of Baltimore Chapter, was appointed Convention City Chairman, said Mr. Randolph.

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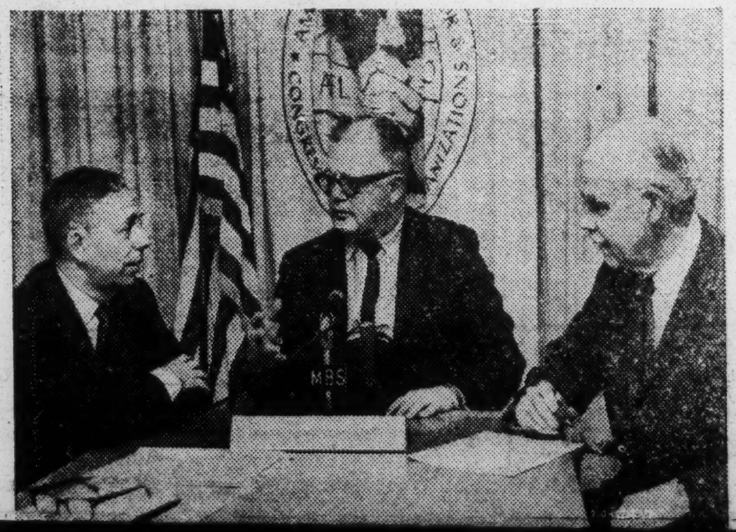
Coalition

Carolina Labor News

Published Weekly | Vol. 25, No. 41 | DURHAM, N. C., FRIDAY, JAN 28, 1966 | Price Per Copy Five Cents

Labor, Negro Should Consider Voting GOP If Filibuster Blocks Vote On 14-B Repeal



AN OPEN LETTER TO UNION MEMBERS AND NEGROES

Today in the U.S. Senate, a filibuster is taking place aaginst the rights of union members and management to sit down and bargain collectively in regards to a union shop.

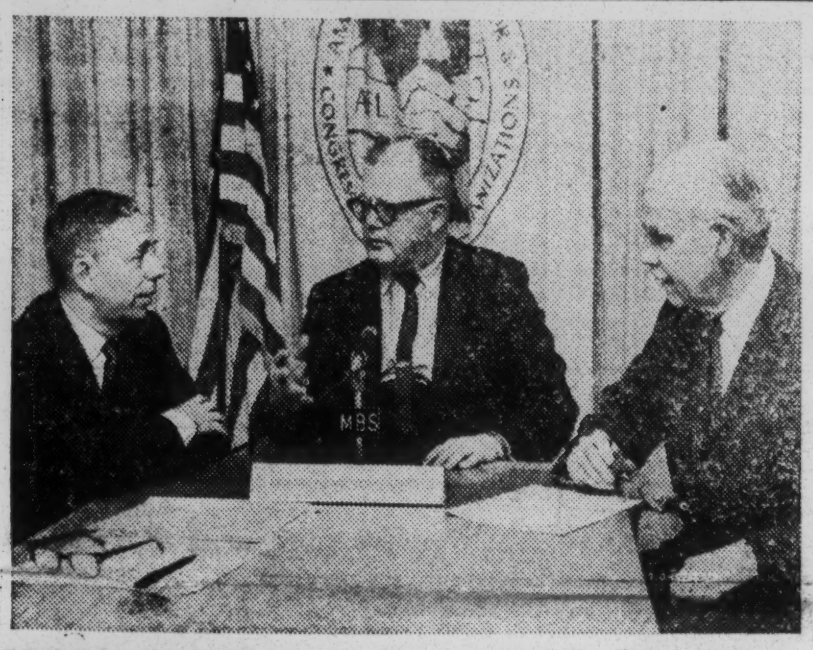
First I would like to set the record straight in regards to repeal of Section 14b of the Taft-Hartley law at which the present filibuster is being directed.

Repeal of Section 14b would not require every worker to join a union as most of its critics claim.

Repeal of Section 14b would not organize a union where employes did not want one as most of its critics claim.

All it would do would be to correct the injustices apparent in the Taft-Hartley law.

If Filibuster Blocks Vote On 14-B Repeal



THE KEY BATTLE facing Congress involves protecting Great Society programs established last year, Legislative Dir. Andrew J. Biemiller (center) told Hobart Rowen (left) of the Washington Post and Richard L. Strout of the Christian Science Monitor on Labor News Conference, the weekly AFL-CIO public service radio interview.

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All it would do would be to correct the injustices apparent in the Taft-Hartley law.

In a plant where unions are recognized, the unions are now required by the Taft-Hartley law to represent all workers in matters of wages, hours, working conditions and to process their grievances for them at the expense of the union.

All repeal of Section 14b would do would be to allow labor and management to sit down and bargain for a union shop agreement which means when agreed to by a majority of the employes, the people who receive benefits from the union negotiated contracts, would pay their fair share of the costs of negotiating their benefits and help to pay for the operation of their union.

All eleven congressmen, both Democrats and Republicans from North Carolina voted against repeal of 14b in the House. Right now our two Democratic Senators are participating in a filibuster to deny us our right to a vote on Section 14b. The filibuster and the attitude of the present representatives and Senators are the reason that North Carolina factory workers take home 78 cents an hour or $31.20 a week less than the average factory worker in the United States.

We remember the [illegible] of labor in North Carolina to the vote for the Taft-Hartley law by U.S. Senator William B. Umstead in 1947. His vote for the Taft-Hartley law largely contributed to his defeat in his re-election bid in 1948.

If the average factory worker makes 78 cents an hour less, imagine how much less most Negro workers make than the U.S. average of $2.46 per hour.

Labor and Negro voters hold a balance of power in North Carolina now in the General Elections. 1966 is a General Election year. B. Everett Jordan is up for re-election and the Republicans state that they are going to make an all out race to defeat Jordan.

I believe that labor and the Negro should give serious consideration to voting Republican on a state level in 1966 to show the conserative Democrats that we are no longer going to stand for their co-operation with the anti-labor reactionary Republicans of the North.

If we must have Republican votes on the domestic issues championed by the national Democratic Party then lets have them from Republicans and not from so-called Democrats.

This newspaper believes that the AFL-CIO leadership in North Carolina and the Negro leadership in this state should have a summit meeting to discuss ways and means of welding together a coalition of labor and the Negro in N.C. to end their political shenannigans.

Next time we could stand together and elect real Democrats to both the

Continued on Page 8

Labor's Civil Rights Coalition Allies Help Union Win Georgia Vote

AUGUSTA, Ga. — The Painters won a resounding victory in a representation election among the 550 employes of Merry Brothers, manufacturers of brick products here, as the outgrowth of cooperation with the AFL-CIO Dept. of Civil Rights and the National Association for the Advancement of Colored People.

The union's organization drive was explained at a series of meetings with local NAACP leaders and Negro ministers which were arranged by AFL-CIO Civil Rights Dir. Don. Slaiman and Al Kehrer, the department's southern representative, at the request of Painters' Pres. Frank Raftery.

The sessions led to a close relationship that resulted in broad support for the union in the Negro community which was an important factor in winning the election. Organizing Dir. Jack Cox of the union hailed Slaiman and his staff for making "an outstanding contribution to bring this about."

Gonzalez Proposes 'Real R.-To-W.' Law

WASHINGTON — A Texas congressman has introduced what he termed a "real right to work bill" which would oblige the government to provide jobs for persons unable to find employment in private industry.

Rep. Henry B. Gonzalez (D) said

Continued On Page Eight

OPEN LETTER

Continued from Page One

House and Senate in most areas.

We pledge our full support to any effort to bring about a coalition of labor and Negro voters to defeat any Congressman or Senator who has constantly voted against the workers of North Carolina, both black and white.

from 6th Convention Coalition JAN 1966

Civil Rights

". . . good laws by themselves do not automatically solve problems, as we in the labor movement know from our own experience."

In its policy statement on civil rights, the AFL-CIO recalled that the Wagner Act had to be followed up by hard work on the part of unions and added:

"That is just as true of the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

"Vigorous and effective enforcement by government is mandatory if these laws are to be useful tools for eliminating discrimination and opening opportunities for minority group citizens.

"We intend to see to it that there is effective and vigorous enforcement."

In education, the AFL-CIO expressed deep concern over the slow pace of integration.

U.S. Office of Education figures showing 7.5 percent of Negro children attending desegregated schools in 11 southern states represents "meager progress" 11 years after the high court's ruling, the resolution said.

The AFL-CIO called for adequate law enforcement funds and for a cutting off of funds for non-compliance by local officials. De facto school segregation in the North also should be effectively dealt with.

On housing, the resolution noted that de facto school segregation in the North reflects the existence of huge Negro ghettoes. Therefore, it added, the order of the late President Kennedy banning discrimination in federally-aided housing should be extended to cover all mortgage activities of all federally-aided or insured banks and lending agencies.

On equality in employment, the resolution described the new Equal Employment Opportunity Commission created under Title VII of the 1964 Civil Rights Act.

While the AFL-CIO has urged Congress to strengthen Title VII, the resolution noted, each union has been requested to designate an officer to ensure effective and prompt compliance with the law as it now stands.

Noting the Commission's ruling against segregated locals and separate seniority lines—which parallels labor's position—the resolution declared:

"We call upon all affiliates with the few segregated locals that remain in existence to merge such separate locals without delay and to adopt contractual clauses that will eliminate barriers to equal opportunity for promotion and seniority for all workers."

On voting, the resolution observed that some 166,000 Negroes have registered to vote in six southern states since the Voting Rights Act was enacted several months ago. And yet there are federal registrars in only 32 counties, a record "not good enough," the resolution said in urging the Attorney-General to act to ensure the vote for all citizens.

On the equal administration of justice, the AFL-CIO called for "the total elimination of segregation and discrimination in our jury system."

This was said . . .

"When the Negro leadership speaks out for labor's demands, they are not merely making a gesture in return for labor's support of civil rights. Rather we are bound together in a coalition of mutual interest.

". . . if there is any single step that will raise Negroes out of poverty, it is labor's demand for a national $2 minimum wage. In this land of affluence, in the year 1965, two out of every three Negro families live in poverty and deprivation. . . . in most cases, the head of the Negro family is working—forty hard hours a week. He does not need to be lectured about self-help. Give him a decent wage and he will be able to help himself. He will be able to keep his family together, to educate his children, to contribute to the well-being of the community.

"In short: if the civil rights revolution is to have meaning outside of the South—in the teeming slums of the cities, in the industrial centers of the nation—the needs of the dispossessed Negro masses must be hitched to the economic demands of labor.

"More and more, the Negro leadership recognizes that of all the mass institutions in the nation, the labor movement holds out the greatest hope for progress in the daily conditions of life in the Negro community. Yet they do not forget for one moment that labor's own house is not yet entirely in order, that segregated locals and discriminatory practices still exist in some unions. The eradication of these conditions, noted in the resolution before you, must be high on your priority list in the coming year.

". . . the answer to Negro family instability and to Watts is the enactment of labor's programs for full and fair employment. . . ." —A. Philip Randolph

The convention called for . . .

True equality of opportunity. Every affiilated union is urged to establish a functioning civil rights committee. These committees are crucial in the implementation of labor's program, providing technical aid to those filing complaints under Title VII; setting up educational programs to reach the rank and file; forging cooperative links with other responsible community groups to obtain compliance with civil rights laws and aiding local leaders to resist Ku Klux Klan and John Birch Society infiltration.

PAGINATION INCORRECT

The Wall Street Journal
March 28, 1966
p. 1

F v
Coalition

Dixie Ballot Battle

Growing Negro Power At Polls Spurs Whites To Make Concessions

Negroes Get Improved Roads, Deputy Job; White Senator Relies on Gee's Bend Ferry

A First: 'He Shook My Hand'

By NEIL A. MAXWELL
Staff Reporter of THE WALL STREET JOURNAL

CAMDEN, Ala.—Packed to capacity, the rural Negro church shakes to the stomping of feet as the audience sings:

If you miss me in the white folks' kitchen
And can't find me nowhere,
Come on over to the courthouse,
I'll be clerkin' over there.
If you miss me on the paperwood truck
And can't find me nowhere,
Come on over to Camden,
I'll be the mayor over there.

Thus, in song, does the Southern Negro express desires he now feels may be within his reach—a voice in Dixie politics heretofore denied him, and through this, a better job and other economic benefits. Admittedly, the singers are optimistic. Though Negroes are running for office this year in the Deep South in greater numbers than ever before, few are given a chance of winning. But it is still true that for the first time the Negro vote is a force to be reckoned with in many parts of Dixie—and the white politicians know it.

The Changing Pattern

This new power, derived from heavy registration of new Negro voters, will be felt this spring and summer in primaries held to pick candidates for November's general elections. White office-seekers are already on the hustings currying favor with Negro voters they could once afford to ignore. More than just honeyed promises are being offered; here and there, roads in Negro areas suddenly are being improved and concessions made. Race-baiting speeches to the white electorate are being toned down. Candidates pressed by Negro rivals are being forced to run harder than ever before. As Negro power at the polls continues to mount, it seems certain that the process will accelerate in years to come, forcing change in the old political patterns of the rural South.

To date, registered Negro voters outnumber white voters in about 20 counties in the South. In over 60 other counties there are more potential Negro voters than whites, though the whites still retain an edge in registration. These counties are heavily concentrated in the Deep South states of Mississippi, Georgia, Alabama, and South Carolina, generally in rural areas where resistance to integration and to greater economic opportunities for Negroes has been most fierce.

Here in Wilcox County, in southern Alabama, for example, the 1964 Civil Rights Law didn't mean a thing; schools, cafes, even the jails are still segregated. But the Voting Rights Act of 1965 jolted white politicians, as well it might; before the law passed there was not a single Negro registered to vote, but now 3,512 are on the rolls, giving them a margin of 277 above white registration. What's more, five Negroes are running for offices ranging from sheriff to state senator, leaving the tax collector as the only white unchallenged.

Big Gains in Alabama

Thanks to the voting law, Federal registrars have been able to sign up a total of 106,000 new Negro voters in four Deep South states, the bulk of them in rural areas where few, if any, Negroes had been registered before. Many other Negroes have been enrolled by county authorities who grudgingly took this course rather than have Federal registrars step in. More than half of the Federally enrolled Negro voters are in Alabama, and this buildup has encouraged 45 Negroes to seek public office there in the Democratic primary, far more than are expected to run in any other Deep South state.

A look at some campaigns in rural counties reveals what may be the pattern of the future. First, there is not going to be any "black takeover," as white supremacists have feared. One reason: Many Negro candidates are not well known to constituents and lack experience of any kind in public service. Talks with Negro voters show that these and other factors will lead some of them to vote for whites. So the "black vote" is far from solid.

Also, Negroes generally are not forming all-black slates, but have chosen to support some white as well as Negro candidates. "We would be the biggest phonies in the world if we came up with all-black slates after saying all along we wanted integration," says Charles Evers, head of the NAACP in Mississippi. Zelma Wyche, one of two Negroes running against three whites for alderman's jobs in Tallulah, La., says: "If we elected no one but Negroes, we'd be farther apart than ever." Negro leaders in Tallulah have decided to back some incumbent white officials, including the mayor and police chief, rather than enter candidates against them.

Black Panther Party

There are exceptions to the biracial approach however. In Greene County, Ala., where Negro registrants now outnumber whites two to one, the election of five Negroes running in the Democratic primary is far from certain; the Black Panther Party, backed by the Student Non-Violent Coordinating Committee (SNCC), is urging Negroes to boycott the primary and vote instead for its independent, all-black slate in November. In Lowndes County, the Black Panther Party is so strong that no Negro is running in the primary, but in other places like Greene County there is strong feeling that the Black Panthers can only succeed in fragmenting the Negro vote and leaving white supremacists with the upper hand.

Here in Wilcox County, some of the staunchest segregationist office-holders are confident. They think Negro voters will help re-elect them because they have qualifications and experience their Negro opponents can't match. "I'm going to get the majority of the Negro vote," says 52-year-old Roland Cooper

Please Turn to Page 8, Column 3

Continued From First Page

of Camden, a state senator and one of Gov. George Wallace's floor leaders. "Let's disregard color—they'll vote for me because they know I'm the man who can get the job done." Sen. Cooper is being opposed in the May 3 primary by Lonnie Brown, a 34-year-old Negro insurance salesman.

Sen. Cooper brakes his 1966 Chrysler to a stop at a landing on the Alabama River, where a ferry totes cars across to Gee's Bend, an all-Negro community. "I got them that ferry, and they know it," he says. "Now it's only an eight-mile drive to Gee's Bend instead of 40. They're going to remember that on election day."

Bouncing along in his blue Ford pickup, J. C. Martin, running for his fourth term on the County Commission, also shows confidence. "Ask any of the responsible niggers around here—they'll tell you they're voting for me," he claims.

Sure enough, some of them are. Farmer Sam Kennedy is one. Before Mr. Martin fixed up his road, he says, "I had to use a pole to get my car out after a rain."

In some cases, Negroes aren't planning to vote for Negroes because they fear they would be doing them no favor by putting them in office. Leo Taylor, a middle-aged Negro clad in jeans and a faded tan double-breasted jacket, won't vote for Walter Calhoun, a Negro who is running for sheriff. Mr. Calhoun opposes incumbent P. C. Jenkins, the law in Wilcox County for so long that he finds it unnecessary to go out and arrest most culprits—he just sends word for them to come in and give themselves up. "Calhoun just might get himself killed, and I wouldn't want that on my conscience," says Mr. Taylor.

They Don't Need It Now

There are, of course, many Negroes who will not be able to bring themselves to vote for a white man. William Bridges, who will be eligible to cast a ballot this spring for the first time in his 61 years, says: "Well, it seems to me that if the white folks got along without my vote for all these years, they can get along without it now."

Many white politicos are sweating to change this attitude—and some concrete gains for Negroes are resulting. It's hard to link all these improvements directly to the emergence of the Negro vote, but Negroes themselves can't see any other reason for the new white concern for their welfare.

In Greene County, a Negro deputy has been

hired for the first time (much to the chagrin of the Rev. T. E. Gilmore, a Negro candidate for sheriff who claims the hiring was a blatant attempt to swing votes away from him). In one portion of Wilcox County, where Negroes say you can tell when you progress past white living areas into Negro ones because your car gets stuck in the ruts, a Negro strolling along the road gives a word of warning: "Man, you got to watch it around here now," he says, "or you're goin' to get run over by a gravel truck. They got them running 'round throwing gravel all over the place, even on folks' driveways."

Progress in Selma

In nearby Selma, Negroes say they tried for years to get white leaders to pave their streets, but were always told they would have to put up the money, "just like the white folks do." Now there are almost as many Negroes registered to vote as whites (10,000 Negro, 11,000 white), and there has been a change in attitude. Now the whites are prodding the Negroes to hurry up and name a committee so the city can submit an anti-poverty plan that, it's hoped, would bring in Federal money. Some of this would go for the long-sought paving.

(Negroes in Selma have little chance to elect the five candidates of their race they are backing. But they are convinced they can oust Sheriff Jim Clark, symbol of segregationist resistance during demonstrations last spring, by voting for his white opponent in the primary.)

In Birmingham, attorney Orzell Billingsley Jr., a powerful Negro political leader, hangs up the phone in his office and says: "That was one of them—a white politician wanting to know when we could get together for a talk." Mr. Billingsley is confident that this white desire for Negro support will lead to benefits his race has not been able to get thus far—a substantial number of jobs at the courthouse, for example.

Cooper Runs Hard

The character of politicking is changing drastically in some areas. Though Sen. Cooper in Wilcox County is confident he will win, he's running harder than ever. The other night, he drove from Camden to Excel to make a campaign speech at a political rally—the first time he has felt it necessary to speak at such an affair in 20 years in politics. Two nights later he drove to Monroeville to meet with Negro leaders from the four counties in his district. "Naturally, I never did that before, since they didn't have the votes," he says, claiming that the Negroes pledged their support.

At Suttle, a rural settlement in Perry County, Ala., an elderly Negro reports another "first." "He shook it," he says wonderingly, holding up his right hand. "First time that ever happened. This white man gave me one of his campaign cards and then damn if he didn't shake my hand.!" Ten Negroes, among them the Rev. Martin Luther King's brother-in-law, are opposing white candidates in Perry County.

Negro leaders are pleased that the whites are actively seeking Negro votes for a change, but they make it clear that it will take more than a handshake to win their allegiance. "Up to now Negroes been selling their vote for a Coca-Cola, and after the election they have been getting nothing but a good belch," cries Hosea Williams, one of Mr. King's top strategists, at a meeting of Negro candidates in Selma. "We got to say to the white folks, 'What you going to give us—how many black faces you going to put in trooper suits? How many black barber and beauty shop inspectors we going to get? How many black faces you going to put behind desks at the capitol?' "

Coalition

SOUTH

Talks Under Way Seek 'Fruits of Organizing' For 415 in Selma, Ala.

SELMA, Ala.—Talks are under way for first contracts for 415 of the 500 workers the RWDSU has organized since it began an organizing sweep in the Selma area of Alabama's "Black Belt" late last summer.

"Now we are bringing the fruits of the organizing campaign to the workers," Ass't Southern Dir. Frank Parker said.

At Massengale Poultry Co. in Greensboro, 40 miles away, where the union won an NLRB election last November, another bargaining session has been set for March 25.

The Alabama Council represents 300 workers at Massengale.

"We hope to complete the first contract with a few more meetings," Org. Henry Jenkins, who is heading the union's negotiating committee, said.

In Selma, the Council will continue negotiations for 60 members at the Henry Brick Co. March 22. The union won an NLRB election at the brickyard in November, and talks for a first contract opened this month.

Bargaining for a first agreement for 55 employees of the Stuart, King & McKenzie wholesale grocery will open March 24. The Alabama Council won an NLRB election among the Stuart, King workers last August, its first NLRB victory in the area, but the company's objections delayed certification of the union until last month.

The RWDSU has also won elections among the 55 workers at the Coca-Cola Bottling Co. and the 30 workers at the W.B.W. food service at Craig Air Force Base, just outside Selma.

At a sixth shop, the Centrala Farmers Co-op, the union has organized a majority of the 40 workers, and the NLRB will hold a bargaining election March 31.

Some of the workers have been employed at Centrala, a fertilizer and soda processor, for as long as 30 years but they earn only $1.25 an hour and have no holidays or vacations and no fringes.

The union has also petitioned the NLRB for an election among the 30 employees of the Central City Laundry and Dry Cleaning Co.

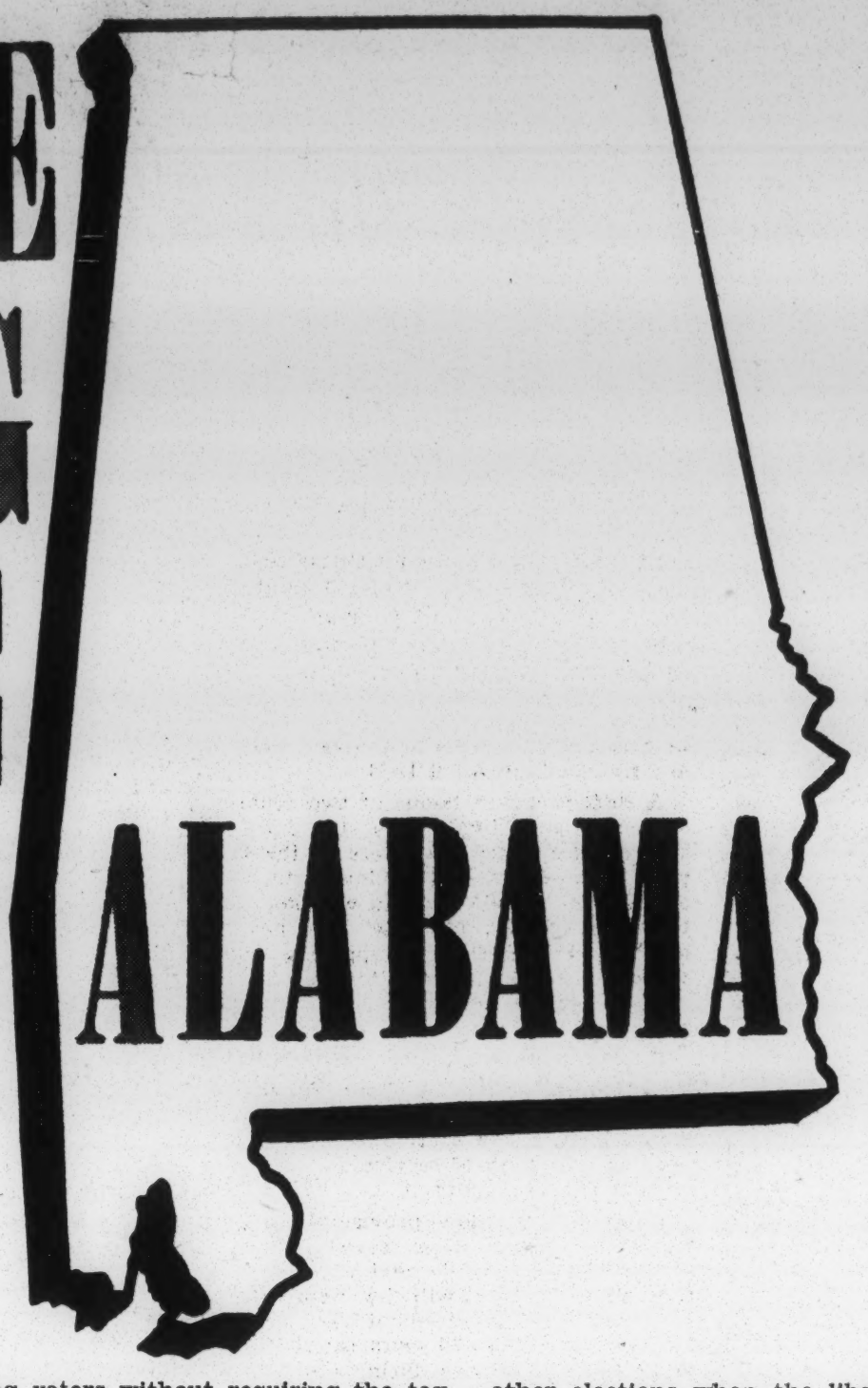
RWDSW

March 20, 1966

RWDSU
Mar 20/66

Coalition

THE BIG CHANGE IN ALABAMA



Negroes Electing Sheriffs, Upsetting Political Applecarts As a Fresh Wind Sweeps the South

By Bernard Stephens

THE state Democratic organization of Alabama has removed the "white supremacy" slogan from its emblem, and a candidate for governor (not Mrs. Lurleen Wallace) has announced that if elected he will place the United States flag atop the state capitol building in Montgomery.

There's a fresh wind blowing in Alabama these bright spring days, and it bodes well for the entire nation. The old Dixiecrat machine that crushed both Negro and white under its iron heel for a hundred years is threatened and running for cover. The Alabama Democrats who gave up their "white supremacy" slogan did so for practical reasons. Charles McKay, who proposed the change, observed that Negroes are registering to vote in Alabama in awesome numbers, and then remarked:

"We can't afford to spend a lot of money nominating candidates this spring and then take a stick and run off 150,000 to 175,000 voters who might vote Democratic."

Frank Parker, native Alabaman and the RWDSU's assistant Southern director, said that virtually all politicians in the state are talking like McKay, except that they put the figure of Negroes newly registered higher—at about 200,000. In a state that cast under 700,000 votes in the Presidential election of 1964, the infusion of that many single-minded voters could be decisive in the race for governor and Alabama's eight congressional seats—and certainly will be decisive in local elections in much of the state's Black Belt area.

A dramatic example of the earth-shaking going on in the Black Belt: Negroes are favored to elect the sheriff in Wilcox, Macon, Sumter, Greene, Bullock and Perry counties. *In Wilcox, not one Negro was registered to vote a year ago; today they are a majority on the voting rolls.*

What has brought about this amazing turn of events? Three key developments are credited, all of course flowing from the civil rights revolution:

- The Voting Rights Act of 1965, which barred literacy tests where it is obvious they are used to keep Negroes from voting, and brought Federal registrars to Alabama and other states to place the Negroes on the voting lists.
- Outlawing of the poll tax through the 24th Amendment, removing one more obstacle to votting by poor folk. Although Alabama is struggling to maintain the poll tax in state and local elections, it is a losing battle. The Federal registrars are accepting voters without requiring the tax, and a panel of three Federal judges is expected to rule shortly that the tax is dead—in state as well as national elections.
- The Supreme Court on March 7 by unanimous vote (Justice Black dissented on a minor aspect) upheld the Voting Rights Act, thereby legalizing all action of the Federal registrars and giving a huge new impetus to the drive for political power by the long disenfranchised Negroes.

The Supreme Court decision was a model of clear-cut language:

> "We here hold that the portions of the Voting Rights Act properly before us are a valid means for carrying out the commands of the 15th Amendment. Hopefully, millions of non-white Americans will now be able to participate for the first time on an equal basis in the Government under which they live.
>
> "We may finally look forward to the day when truly, 'the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude.'"

In practical terms, in Alabama, this means that George Wallace's scheme to manipulate the governor's chair with puppet strings is less than an even bet. The "automatic" election of a segregationist is no more. Labor and the expanding Negro electorate are, of course, dead set against the election of Wallace, "'him or her." They are hopeful that Attorney General Flowers, or former Rep. Carl Elliott, or perhaps John Patterson might make a successful race. In the turmoil a Republican may win out, but one thing is clear—the fresh wind blowing through Alabama is stirring things up right smack to the capitol in Montgomery.

Dickerson a Target

The races for Congress appear also to be up for grabs. Labor is particularly anxious to unseat Republican William L. Dickerson, of the 2nd Congressional District, which includes Montgomery. Dickerson bluntly tells his constituents, in a newsletter, that he opposes improved unemployment insurance. Higher benefits for the jobless, he says, are "aimed at weakening the sales talk of Southern states in their recruitment of Northern industries," and would "raise the taxes that employers pay into the program."

This toadying to business at the expense of workers is typical of the kind of representative Alabama has been sending to Congress. The fresh new wind may well blow this trash out of office in May or November. If not, there will be other elections when the liberal forces will be better prepared.

The RWDSU has urged Franklin H. James, a good friend of labor and a sincere liberal, to make the race against Dickerson.

Frank Parker expressed pride that the RWDSU is following up with political action the organizing successes of the past several months, which have brought thousands of new members into the union in the South. The RWDSU is indeed playing its part in the great political upheaval shaking the state of Alabama, whose effects will be felt for many a year to come.

Last November, in a preview performance in Birmingham, no councilman was elected (shades of Bull Connors!) who did not have the support of the Negroes and of the city labor council. The three who where elected, Al Cocoran, E.C. Overton and R.W. Douglas, represent a sign of the changing times in this one-time heart of the stand-pat Southern scene.

But it is in the eleven counties of the Black Belt area (a term used to describe the soil as well as the majority population) that the greatest political revolution in Southern history is centered. Negroes are running for at least 33 offices—half of those up for election this year—including sheriff and state legislator. They are favored to win in most.

Here too is where the growing strength of the RWDSU is being felt most. In Selma, the hub of Dallas County, and in Greensboro, Hale County's big town, Organizer Henry Jenkins has found 95 percent of the RWDSU members and their families registered to vote. In these two cities alone upwards of 500 new members have been added to the union's rolls in the past seven months, and many more are talking union and signing cards as this is being written.

And speaking of Selma, remember Jim Clark, the sheriff who epitomized the tough, swaggering segregationist cop? The fresh wind blowing in Alabama bids fair to sweep this big wind out of office. Negroes are backing Willis Baker, a white moderate, in addition to running their own candidates for a seat in the legislature, for tax collector and two places on the board of revenue, the county governing body.

Organizer Jenkins, active in the political upsurge as well as the union upsurge in the area, observed that in nearby Greene County a Negro was sworn in as deputy sheriff "just the other day."

Yes indeed. Big changes are taking place in Alabama.

Pickets Assaulted as 50 Strike for Union Pact n Memphis

MEMPHIS, Tenn.—The National Mfg. Co. here is the scene of a strike marked by violence as 50 members of Local 19 hit the bricks in an effort to get the management to bargain for a first contract.

The RWDSU won an NLRB election at National on Nov. 27, after an organizing campaign highlighted by an active union-busting drive.

The walkout, voted at a membership meeting March 3, began at 5 a.m. on March 7 after the company refused to discuss wages, grievance procedure and vacations for the 47 Negro employees. The firm's three white employees get higher pay, vacations and other benefits.

On the first day of the walkout, National imported two husky white strike-breakers from Mississippi who attempted to run over some of the men on the picketline as they entered the plant in their car.

Later that day, at the plant's closing time, the strike-breakers tried a repeat performance of their bulldozer-like tactics, but this time the pickets defended themselves. A scuffle broke out and several squad cards were called by the plant foreman. The strike-breakers then singled out one of the pickets, William Bowers, who was arrested, charged with disturbing the peace and disorderly conduct. Local 19 paid bail costs of $77, and Bowers was ordered to stand trial at nine the next morning.

At 2 a.m. the following morning (March 8) the police dragged two strikers, O. C. Riley and Clemen Johnson, out of their beds, arrested them on disorderly conduct charges and told them to appear the next morning with Bowers to stand trial. Bail was set at $26 apiece.

The judge dismissed charges against the three, and ordered bail refunded to the local.

As the week progressed the company made no move to start negotiations. Two more white strike-breakers were brought in, and three Negro women were hired at $1.25 an hour, and escorted to and from work by management officials.

City officials attempted to convince National that the race issue could boil over in the strike, but apparently had little effect.

"The management at National is trying to involve the police at every turn," explained Fisher, "and turn this thing into a full-fledged race riot.

"The morale of our men is very good, though. They know they're fighting more than just a balky management.

"Other unions have been helping us out—RWDSU locals, the Furniture Workers, the Memphis AFL-CIO, and the Teamsters, who are not delivering any goods. Even the Coke machines in the factory are empty. There is no production going on."

At The Record's presstime, Fisher reported that the Federal Mediation Service was attempting to arrange negotiating talks with the company lawyer, but so far, no definite meeting time had been established.

Strikers at National Mfg. in Memphis are determined to win decent pay and union contract.

RWDSU

Coalition

Race, Labor Split S.C. Democrats

Coalition at Coast

March 31, 1966

COLUMBIA, S.C., (AP)—South Carolina's old guard Democratic leadership took a bitter beating Wednesday in a state party convention that included a demand for recognition of Negro voting strength and passage of a compulsory school attendance resolution with racial overtones.

The five-hour session ended in confusion with less than half of the more than 1,000 delegates present and with those who had remained in their seats shouting down state Sen. L. Marion Gressette of Calhoun, chairman of the state's long-standing segregation committee.

Also passed in the final minutes was a resolution proposed by Negro delegate A. W. Homan of Aiken. It put the convention on record as noting "incidents of racial discrimination" at party precinct meetings and directing "strict adherence" to non-discrimination guidelines set forth in the state party's platform.

John Bolt Culberston, a white Greenville attorney and longtime civil rights spokesman, had warned the convention earlier that Negroes and the labor vote would not tolerate "some of these faint-hearted Democratic candidates . . . who don't believe in giving Negroes the vote or labor a voice."

Culbertson, who ran unsuccessfully for Congress last year, vowed that he would run in the June 14 party primary for the nomination to one of the state's two U. S. Senate seats unless the announced candidates pledged to vote for civil rights legislation and elimination of state right-to-work laws.

He was cheered by all of the more than 200 Negro delegates and applauded by a good many of the white delegates.

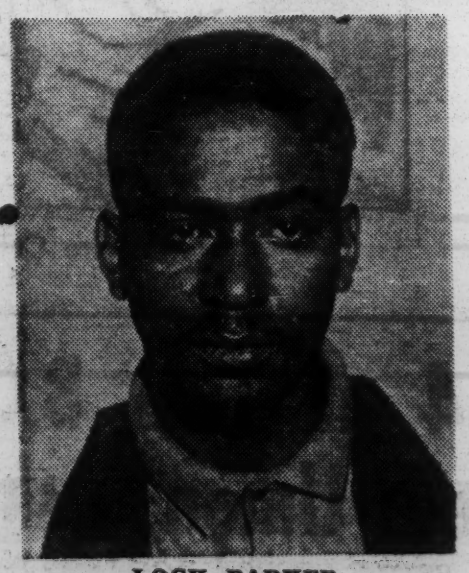
RWDSU April 3, 1966

Boss Hoses Rights Marchers Into Union

HERTFORD, N.C.—The tie between civil rights and union organizing in the South has been pointed up again as nearly all 47 Negro workers at Hertford Veneer Inc., a lumbermill, joined the RWDSU last month after a civil rights demonstration here. There are 51 employees in all at the company.

Many of the 3,500 Southern workers who have joined the RWDSU since last May are Negroes, seeking to extend the successes of the civil rights movement to their place of work.

In Hertford, a small lumber town near the North Carolina-Virginia line, the NAACP conducted a demonstration for civil rights and increased job opportunities March 9. During the demonstration, firemen brought out a fire hose, and the owner of the Hertford Veneer Co., a white, was at the front of the hose.



LOCK PARKER

The stream of water knocked down one demonstrator who was the child of a Hertford Veneer worker. When the father rushed out to help his child, he was knocked down also. The police used tear gas as well as the fire hoses against the demonstrators. Thirty of the demonstrators were arrested.

The Negro community was shocked at the brutality against the demonstrators. Workers at the plant noted the involvement of their employer.

Soon afterward the leader of the NAACP in Hertford got in touch with Local 26 Pres. Lock Parker, who drove to Hertford and signed up a majority of the workers in less than an hour.

The union has filed a petition for an election at the plant, and the NLRB will hold a hearing on the petition April 5.

The company employs 47 Negro workers and four whites.

RWDSU 4/3/66 Coalition

24 Elections Won Out of 26

Ga. Bakery Votes Union, South Drive Rolls On

AUGUSTA, Ga.—New organizing successes in the South, including a smashing 111 to 37 election victory at Claussen's Bakery in this city, have brought the RWDSU Southern campaign to a high pitch. The organizing drive began last May 1, and has been cutting a path as wide as it is long through the deep South, from Virginia to Texas.

Its success can be attributed, in part, to workers who are fed up with traditionally low wages and poor working conditions. Many are Negroes who realize that the dignity won through the civil rights movement requires the "cement" of higher pay through a union contract.

The RWDSU has won elections in 24 shops and lost only two in this 11-month-old campaign, bringing union representation to 2,928 workers in these shops.

In addition to the Claussen Bakery victory March 18, an election was won at Pep Boys of Texas the same day, and at Hertford, N.C., Local 26 has filed for an election among 51 employees at Hertford Veneer Inc.

The Claussen victory, by a vote of 111-37, came as no surprise. "The Claussen employees were so confident that the union would win that workers who lived out of town—about 40 in all—didn't even come in to vote." said James Dickinson, RWDSU representative who headed the drive at Claussen's.

"We were confident we had this wrapped up all along. At the end of January we had 90 percent of the workers signed up."

The NLRB ordered an election among the Claussen employees—bread and cake production workers and driver-salesmen—on Feb. 18. The Claussen management resorted to last-ditch delaying tactics by filing an appeal with the NLRB in Washington, but the board ruled for the union and ordered the election for March 18.

Dickinson cited the hard work of those who assisted the RWDSU drive at Claussen's, including Clifford Rollins, Willard Watson, Henrietta Lockler, Dave McCracken, Arthur Hullman, RWDSU representative, Arthur Perkins, and J.O. Wyatt of the AFL-CIO staff.

'20 Years With Firm . . . Fired'

A membership meeting was held on March 30 to discuss contract demands and elect a negotiating committee. Among the issues under discussion were job security for the Claussen employees as well as wage increases. "There are some people here who have put in 20 years with the firm, and then get several days' notice of discharge," said Dickinson. "This system has got to go."

In another part of the South, on the same day, about 950 miles southwest of Augusta, the RWDSU, working in conjunction with the AFL-CIO's Industrial Union Dept., won its sixth straight NLRB election in the Dallas [illegible] with a victory among 11 office workers and truck drivers at the Pep Boys of Texas warehouse. The vote was ten for the union, none against, and one ballot challenged.

Since September, the RWDSU has won elections among 350 workers at the Coca-Cola bottling plant, among the 250 workers at Industrial Uniform, the 85 employees of the Burton-Dixie Corp., the 20 workers at Lone Star Book Depository, and 16 workers at Central Building Service. Int'l Rep. Jake Stewart heads the Dallas organizing drive.

And in Alabama, where the union has won five straight victories in NLRB elections and organized more than 500 workers in the Selma-Greensboro area since August, a first contract has been negotiated for the 250 recently-organized workers at the Massengale Poultry Co.

An agreement negotiated by the Alabama Council has won job security and wage and fringe benefits for the Massengale employees. It provides wage boosts of five cents an hour this year and five cents next year, bringing the plant minimum to $1.35; a seniority clause, a grievance procedure with arbitration and a dues check-off, one week's vacation after one year of service, rest periods, time-and-a-half for holiday work and—for the first time—report-in pay and one paid holiday.

Negotiating for the union were Amanda Elliott, Andrew Holifield, Rosie Holifield, Mattie Miles, Johnnie Wilson, Jessie Bell Dixon and Org. Henry Jenkins.

Coalition

Morgan Says:

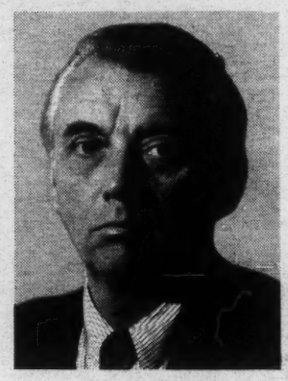
New Housing Laws With Teeth Needed to Destroy Racial Slums

By Edward P. Morgan

(This column is excerpted from the nightly broadcasts of Edward P. Morgan, ABC commentator sponsored by the AFL-CIO. Listen to Morgan over the ABC network Monday through Friday at 7 p.m., EST.)

SOONER rather than later, the American people are going to be forced to come to grips personally and individually with the facts of life.

I am not talking about the birds and the bees and the flowers, though this does happen to be spring. The facts at issue are pointed up by this question: how long do we think a democratic society can endure when it is not? How long do we think we can get away with paying mere lip service to the principles of individual liberty on which this country was founded without facing a major challenge to our hypocrisy?



Morgan

The answer is, of course, not long, but the majority of us don't seem disposed to accept it. Nevertheless, laws and circumstances are backing us all into a corner from which there is no escape. There and then we are going to have to demonstrate that we do believe in equal rights, or see our system destroyed. For an open society cannot exist half closed. The lack of ventilation will stifle it.

There are some surface signs of hope, but it would be dangerous to read them as indicating that everything is pointed in the right direction. Once more the Supreme Court has come to the rescue of American citizenship by ruling that its rights are indivisible, by again reminding the country that, under the law and the constitution, citizenship cannot be broken up into first, second and third class categories.

It did so by striking down Virginia's poll tax and adding, significantly that such levies anywhere are an unconstitutional burden on the right to vote. This decision surely dooms the poll tax as a voting condition in the only states where it remains, Mississippi, Alabama and Texas. Indeed, lower courts have already ruled the Alabama and Texas poll taxes unconstitutional.

In the past the poll tax had been just one of many devices used to keep Negroes from voting. Last year's voting rights act moved against some of the others. In a practical sense the new decision does not mean a great deal. Only four states were involved and even in them, especially in Texas and Virginia, as our society has become more affluent, many Negroes paid the tax in order to vote. But the court ruled this was a form of economic discrimination.

A much larger and far more explosive form of economic and social discrimination remains. This is in housing. A voting right is hard for even the professional segregationists to deny, though the diehards are still trying to. But a living right is something else again. That hits you right in the home where you live, and in the house next door, if a Negro is trying to move in. Herein lies the great unspoken prejudice of American whites and attached to it is a time bomb.

North and South, East and West, the country is segregated in its living quarters and something has got to give. The irony of it is that governments from the federal level down to the grass roots have conspired with the power structure of every community to make it and keep it that way, almost as formally as if everything were drawn to scale on a blueprint.

The Watts area of Los Angeles, where there have been already two explosions, was, in a very real sense, officially created to absorb the immigration of Negroes from other states, a movement quickened by job opportunities in World War II.

BUT THE PRESSURES generated within the Negro ghettos have not been siphoned off by the fancy plans for urban renewal and public housing. As often as not new slums have been created as others were razed. So serious has the situation become that a veteran of 25 years experience in civil rights, Edward Rutledge, now executive director of the National Committee Against Discrimination in Housing, said he had never seen tensions so high between Negro and white communities at every level in major cities, across the land. He predicted not only still another Watts in Los Angeles but similar riots elsewhere, including Rochester, N.Y., unless integrated housing developments for the poor are speeded up and racial slums are destroyed by housing laws with teeth in them.

The Great Society legislation on housing now in Congress is already so emasculated that Rutledge thinks Pres. Johnson may have to expand Pres. Kennedy's executive order on desegregated housing to deal with the crisis.

The nation's capital has a dramatic test case in its own front yard. A Senate Foreign Relations subcommittee is holding hearings on legislation to authorize development of an "embassy enclave" in an area near the State Dept. This would permit foreign governments to construct new chanceries in the neighborhood without being picketed by the neighbors.

Trouble is, little if any thought has been given to the fate of the people already living there, many of them Negroes. But a lively and integrated little lobby has sprung up called the Lincoln Civic Association to defend the residents' rights. Its members are all for the enclave, they will tell the committee, if it is made part of a balanced complex. The association has the theory that peoples' rights are as important as property rights, and that of course, is revolutionary.

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political memo from COPE

GEORGE MEANY, *Chairman* **WM. F. SCHNITZLER,** *Secretary-Treasurer* **AL BARKAN,** *National Director*

NO. 7-66 APRIL 4, 1966

Boost COPE, Meany Urges

AFL-CIO President George Meany has urged all union members to do everything within their power "to make the COPE organization stronger" to help elect more of labor's friends and to help defend the labor movement against its foes.

Addressing a legislative conference of the AFL-CIO Building Trades, Meany reiterated recent calls to union members to follow labor's traditional nonpartisan political policies to "support people rather than labels, and support them on the basis of their attitude and their voting record. . . ."

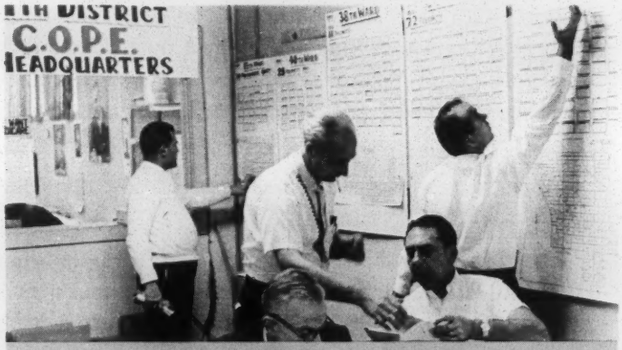
Referring to the recent failure of 14(b) repeal to survive a Senate filibuster, led by Everett Dirksen (R.-Ill.) the AFL-CIO president said it means "we have to go out and get the two-thirds vote. We are going to concentrate on more and better political action. We are not going to spend a lot of time crying over spilt milk."

Meany firmly suggested that union members devote their political activity to the basic COPE program of registering members, getting out the vote and collecting voluntary dollars for COPE, not to a political party, whether Democratic or Republican.

He pointed out while most liberals in Congress are Democrats, the party label also is worn by some who are "100 percent against everything we stand for." He said, too, the Democratic Party has shown it "can't deliver" on all its promises.

The Republicans, Meany said, have become known as the conservative party, yet some in their ranks "go along pretty well with labor's programs." Unfortunately, he said, "the minute they get the reputation of going along with labor's program, they lose whatever influence they have in the party."

The Message



Get Organized

Get Folks Registered

Get Out the Vote

Coalition

As Voter Rolls Swell

Jim Clark Isn't Laughing Now

"The whole thing's so ridiculous, I haven't gotten over laughing at it."

These words were uttered by Selma, Ala., Sheriff Jim Clark last August while he watched long lines of first-time Negro registrants sign up with federal registrars.

He's probably stopped laughing by now. More than 10,000 Negroes are registered in Selma, and they remember how Clark led the brutal assault last spring against civil rights marchers protesting voting discrimination.

With this memory still strong, Negroes are expected to vote heavily against Clark and for his white opponent in the forthcoming primary.

As much as anything, this symbolizes the swift changes occurring in southern politics since enactment of the Voting Rights law less than a year ago.

In sheer numbers alone, the story is dramatic, as the accompanying chart shows.

But in attitudes it is even more dramatic. A lengthy *Wall Street Journal* article reveals:

► Changing patterns even in rural counties where previously racist politicians held an iron grip. Many of them for the first time are actively seeking votes from Negroes.

► A record number of Negroes seeking office, 45 in Alabama alone.

► Race-baiting speeches are being toned down.

► Local services to Negro areas are being improved—road-building and repair and other community facilities.

► No wholesale movement toward all-Negro slates is in evidence. In certain communities, Negro groups are backing white candidates including, in some instances, incumbents.

Though resistance to Negro registration and voting has diminished, official resistance to Negroes seeking office still comes on strong in some areas. In Lowndes County, Ala., scene of more than one civil rights slaying, filing fees for the Democratic primary were raised tenfold. It now costs $500 to run for sheriff or tax collector. The median Negro income in the county is $561 a year.

In Bullock County, Ala., the terms of county commissioners were extended two years to nullify the swelling Negro vote (the move is being challenged in a federal court).

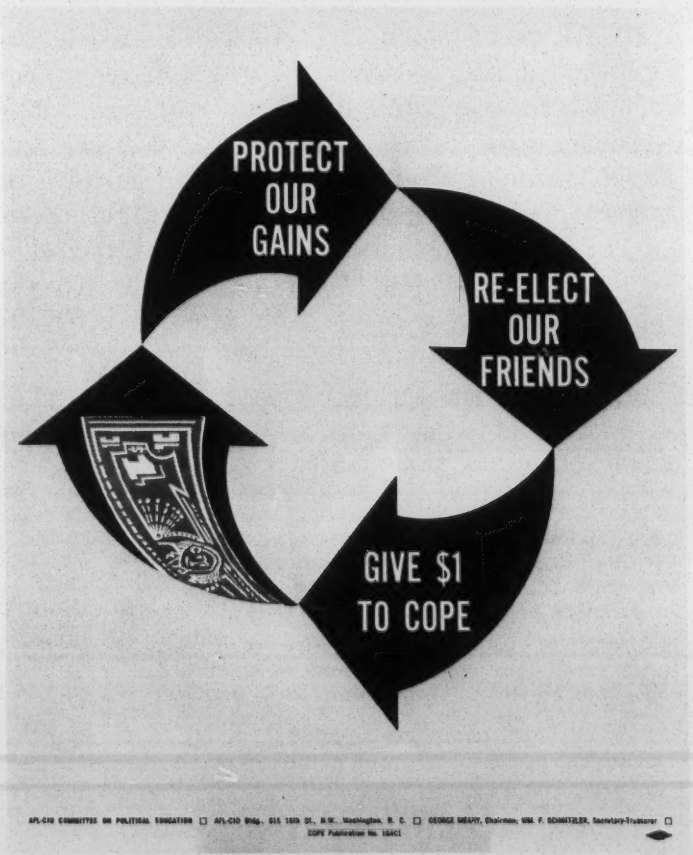
And in Baker County, Ala., a Negro filed to run for justice of the peace. He appeared to be a shoo-in, but county officials abolished the office he was running for.

Changing Pattern In the Southland

The following figures show the big jump over the past 10 years in Negro registration in the South. Biggest increase actually came in the past eight months since enactment of the Voting Rights Act.

State	% Registered 1956	% Registered 1960	% Registered 1966 (Feb. 1)
Alabama	12%	15%	26%
Arkansas	28%	38%	54%
Florida	31%	35%	62%
Georgia	26%	29%	46%
Louisiana	25%	31%	39%
Mississippi	7%	*5%	14%
North Carolina	27%	31%	49%
South Carolina	15%	19%	46%
Tennessee	58%	59%	72%
Texas	23%	35%	58%
Virginia	29%	*23%	49%
Entire South	25.4%	28.4%	46.5%

***Decrease reflects stepped-up opposition to Negro registration, civil rights leaders state.**



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THE NEW REPUBLIC
APRIL 16, 1966

Accommodating Whites

File

A New Look at Mississippi

by Christopher Jencks

The center of the racial storm which struck Mississippi in the early 1960s appears to have moved east to Alabama. There are still isolated gusts of violence, such as the fire bombing which took Vernon F. Dahmer's life in Hattiesburg on January 10. But systematic intimidation is on the wane, and a visiting journalist is impressed by the fact that both civil rights workers and ordinary Negroes seem far less terrified than two years ago. White Mississippi has evidently begun to accept "the movement" as an evil to be lived with rather than exterminated.

Black and white college students (and dropouts) who worked in Mississippi between 1961 and 1964 played a critical role in whatever change has occurred. They did not register many Negro voters, educate many Negro children or get much federal protection for Negroes against white violence. But by themselves defying what they called "the white power structure" they induced a number of local Negroes to do the same.

White Mississippi's first reaction to the 1961-64 "agitators" was predictable; it went for its guns, as it always had. But violence has its limits. Mississippi did not have the stomach for continuous bombings and widespread shootings. What it wanted was a domestic equivalent to the nuclear deterrent: something a few people could carry conspicuously on their hips, most people could ignore and everyone could use to keep the enemy in his place. When it became clear that the threat of violence no longer deterred, most of white Mississippi began considering appeasement. They sought a formula which would preserve "peace with honor"; they found it in the slogan "orderly change."

Since the summer of 1964 the federal government has also played a significant role in undermining the old order and shaping the new in Mississippi. The Justice Department investigated and prosecuted a few cases of racial violence. Congress passed Title VI of the Civil Rights Act, which raised the financial cost of complete segregation in public programs higher than most Mississippians would pay. Perhaps most important, federal agencies which had had difficulty working with state and local governments began to contemplate circumventing these agencies and dealing directly with poor Negroes and their representatives. To prevent this actually happening on a large scale, white Mississippi has had to make some concessions.

The rules of the antipoverty game today in Mississippi can be described this way: (1) Negroes or their sympathizers seek direct support from Washington for something over which local whites would exercise no direct control or veto. (2) Washington shows an interest but sooner or later makes "broader community support" a condition of the grant. This means that local whites must somehow be bought off. (3) At the same time, Washington encourages local whites to believe that if they don't negotiate in good faith a Negro-dominated program will be funded. The groundwork for compromise is thus laid on both sides. (4) A program emerges which looks outwardly much like the initial Negro proposal, but which is managed by local whites and usually has a white director. The local white elite preserves its ultimate control over poor Negroes' lives, but concedes them more food, money and training.

Consider, for example, the experiences of Aaron Henry, a prominent Mississippi Negro with a long history of civil rights activity. A year ago he came to Washington with a scheme for training thousands of Delta Negroes to do something besides chop and pick cotton. He wanted to give them literacy and job training, and pay them subsistence allowances up to $30 a week. Needless to say, plantation owners who were accustomed to paying $18 for a 60-hour week greeted this proposal with less than wholehearted enthusiasm. Coming at a time when the Mississippi Freedom Labor Union was urging farm workers to walk off the job unless they got substantial pay increases, the subsistence allowances looked remarkably like a federal strike fund. After a great deal of delay the poverty program finally funded Henry's project. But two things had happened in the interim: The MFLU's strike had virtually collapsed, and Henry's program had been put under the supervision of a white-dominated community-action agency run by a white Mississippi director.

CHRISTOPHER JENCKS, *a fellow at the Institute for Policy Studies, has just revisited Mississippi.*

The story of STAR, an even larger literacy and job-training program, is similar. The STAR program originated with the National Sharecroppers' Fund, a vintage civil rights group. Like Henry's project, STAR threatened the prevailing wage scale of rural Mississippi. Under National Sharecropper Fund auspices, STAR would have jeopardized local whites' control over "their" Negroes by offering an alternative source of employment and money. Mr. Shriver's Office of Economic Opportunity was not anxious to challenge white Mississippi that directly, and after a series of complicated maneuvers STAR wound up in the hands of the Catholic Diocese of Mississippi, which was at least willing to undertake it. However, nobody sympathetic to "the movement" was given a leading part in the program. Poor Negroes were allowed no control over anything, including their own course of study. Though generalizations about so large an enterprise are hazardous, those with whom I talked felt that STAR had been unnecessarily patronizing, and insensitive toward its enrollees. And yet it must be said that thousands of people are getting badly needed money and skills.

The distribution of surplus food in Mississippi took a somewhat analogous course. For years the Agriculture Department has handed out surplus commodities through local welfare offices to those whom local white social workers certified for public assistance. Some counties refused to distribute commodities, on the ground that they reduced Negroes' incentive to work (and thus generated pressure for higher farm wages). Other counties used commodities as a club for keeping the Negro poor in line, knocking off those who registered to vote or showed other signs of "poor character." Under the law, Washington could have solved this problem by making food available through some other private, nonprofit agency not controlled by local whites. Aware of this, the Delta Ministry and the National Student Association proposed a pilot project under which they would distribute commodities in Forrest County. The state welfare department then put pressure on Forrest County officials to set up a program of their own. This pressure was repeated in a number of other counties.

At this point the state welfare department, the Agriculture Department and OEO worked out a statewide program for distributing a much larger amount of surplus food. The welfare department even promised to establish an advisory board which would reflect the views of poor Negroes, eliminate discrimination in local distribution centers and hire poor Negroes to staff the program. These promises have not all been fulfilled, and the program is still firmly in the hands of the white establishment. But that it exists at all, and is providing hundreds of thousands of families with commodities for the first time is progress. There have been other occasions, when the white community refused to abide by Washington's rules, and then the Negroes and their allies have taken over. In Holmes County, for example, the Negroes worked out a retraining program for seasonal farm workers under the auspices of Saints Junior College. Instead of organizing a community-action agency and proposing to put it under their own control, Holmes County's white officials simply berated the program. As a result, OEO funded the original Negro project. Only after this setback were local officials persuaded to preempt future Negro bids by getting into the antipoverty business themselves.

Child Development Group

Another and more significant slip-up on the part of white Mississippi officialdom was its failure to respond quickly to OEO's announcement of Project Head Start a year ago. Only a handful of counties had established community-action agencies, and most Mississippi schoolmen were chary of federal activity which seemed likely to involve them in more controversy over integration. The result was that most counties made no move to set up summer preschools.

Foreseeing this, several middle-level OEO officials persuaded a group of civil rights activists to set up a big summer preschool program of their own, known as the Child Development Group of Mississippi. White Mississippi's sluggish response to Head Start ensured that there was money enough for everyone and provided OEO's more adventurous spirits with the excuse they needed for funding CDGM.

Andrew Kopkind described CDGM's remarkable initial results in these pages last summer (August 21, 1965). For many poor but undefeated Negroes CDGM filled the emotional vacuum left by the disintegration of the Council of Federated Organizations (which ran the 1964 civil rights summer project) and the departure of most out-of-state civil rights workers. In principle, this gap was to have been filled by the indigenous Mississippi Freedom Democratic Party. But the MFDP was asking local Negroes to tackle an almost insurmountable problem, namely, organizing an impoverished, semiliterate minority of nonvoters to seize political power. (There are comparatively few counties in which more than half the adults are Negroes, and even fewer in which they constitute a majority of the likely voters.) The Child Development Group of Mississippi, on the other hand, offered a manageable challenge. With federal backing the preschools could not fail completely and often succeeded brilliantly. There was enough money and enough outside expertise to do what was attempted – which there had never been in any previous "movement" venture. Many MFDP leaders and followers therefore turned their energies to

CDGM. Some set up committees which found and repaired buildings, hired teachers, and in general served as a local "school board." Others became teachers or teacher trainees. Still others got jobs as community organizers and administrators.

Even before CDGM's inception the focus of the Mississippi civil rights work had been gradually shifting from registering voters, electing officials and changing laws toward building a Negro "community" through Freedom schools, co-ops, community centers and the like. Since CDGM relied on federal funds and was barred from partisan politics, it inevitably accelerated this shift. Today a visitor gets the impression that the earlier civil rights movement of the early sixties is almost dead in Mississippi; the conditions which brought the Student Nonviolent Coordinating Committee and the Congress of Racial Equality into the state have changed. The faith and courage of SNCC and CORE were enormously helpful in challenging violent racism. It will take something else, as yet unknown, to deal with the more accommodating, more realistic elitism that is based on prior possession of money, education and influence, which is now emerging as the new order. One cannot blame the old-style SNCC guerrillas for moving east to Lowndes County, north to urban ghettoes or west to Watts. Nor can one blame the local MFDP membership for feeling overwhelmed by the difficulty of building a political organization capable of fighting established power.

That the CDGM has become the residual legatee of "the movement" is known to white Mississippians as well as black. The Mississippi delegation to Congress, led by Senator John Stennis (who sits on the appropriations subcommittee which handles OEO requests), fought pertinaciously to cut off CDGM funds last summer and to block its subsequent application for money to run a year-round program. Stennis' hostility forced OEO into a supercautious approach and delayed the year-round program until the end of February. Even then it took enormous pressure from civil rights leaders, churchmen and some labor leaders to persuade Sargent Shriver that CDGM was worth Stennis' hostility. Today, CDGM has a short lease on life, running at least through next September.

Unlike some smaller though equally controversial antipoverty programs such as the one in Syracuse, N.Y., CDGM is big enough to have a substantial impact. It spends almost a million dollars a month, runs 125 centers in 28 counties, and is one of the largest enterprises in the state. (The 1964 COFO Summer Project had about half as many centers and perhaps one-tenth the budget.) CDGM is the only sizable, well-heeled organization in the state which hires uneducated Negroes who are active in the civil rights movement. (More than half its budget goes to pay some 2,000 poor Negroes who teach, feed, transport and clean up after the 9,000 children.) To some, this looks like a sinister conspiracy to "buy off" leading malcontents and redirect their energies into "nonpolitical" work. But without CDGM many local civil rights leaders would have had to quit "the movement," leave the state or starve.

CDGM's other major contribution has been to give thousands of poor Negroes, including many who had never had the nerve to vote or demonstrate, a chance to manage a communal enterprise of real importance to them. Until now churches have been the only Mississippi institutions under Negro control, and they have often been dominated by a single preacher who was more responsive to the expectations of the white community than to the needs of his parishioners. One should not be too hard on these men: the narrow orthodoxies and moralities they preached were perhaps a realistic reaction to the fact that their flock was beholden to the white world. Nevertheless, it is refreshing to see CDGM's white central staff holding out an alternative, "integrated" vision of community, one in which the possibilities are more open and self-respect and self-reliance are rewarded. It is even more encouraging to see local Negro "elders" responding to this vision and creating schools which cultivate it.

Success Assures Failures

Almost all those who have examined CDGM's program regard it as the most daring attempt yet made to grapple with the education of rural Negroes. This goes not only for those handpicked consultants who presumably came with a predisposition in favor of the CDGM approach, but also for OEO officials with whom I have talked in Washington. It therefore comes as something of a shock to discover that OEO officials have no intention of keeping CDGM alive for more than a few years.

The reason is basically very simple. CDGM is politically "hot," and OEO wants as little to do with controversy as possible. It has therefore invented a strategy for fighting poverty without controversy, which is embodied in the Economic Opportunity Act and even more clearly in OEO's administrative guidelines. The basic premise of this strategy is that everyone wants to help the poor and has something to contribute. "The problem" is therefore seen as "mobilizing all available resources." "The solution" is the community-action agency. This panacea, known in Washington shorthand as a CAA, is supposed to "represent all elements in the community," including the poor. All controversies over program are supposed to be "democratically" resolved within it. To ensure that this will happen, and to keep OEO from becoming embroiled in local controversies, Washington has given the CAA

veto over almost all antipoverty programs within their geographical jurisdictions. This includes preschools such as CDGM operates. It follows that a county which wants to keep CDGM out need only organize a CAA acceptable to Washington, set up a white-controlled Head Start program as an earnest of good intentions, and then veto CDGM's application for money to support Negro-run programs in the county. This has already begun to happen.

Stacking the Deck

Bolivar County, for instance, has long been a major center of civil rights activity in the cotton-growing Delta. Last summer most of its towns and hamlets opened preschools under CDGM auspices, and in September, when federal funds ran out, they kept centers going with volunteer teachers and cooks, donated food and transportation, and the hope of federal funds to come. Enrollment averaged around 1,000 children.

Meanwhile the Bolivar County supervisors appointed a board of directors for a community-action agency which was the embodiment of Mississippi's "new look." The board included eight more or less moderate whites – "moderate" in the sense that they were not identified with the Klan or even the White Citizens' Council and favored economic progress so long as it did not upset the hegemony of conservative, middle-class values and individuals. In order to make this board acceptable to OEO, the supervisors also named eight Negro "moderates." Their "moderation" was manifested by their invariable habit of agreeing with whatever their white counterparts said. After phone calls from Bolivar County to presidential assistant Jack Valenti to OEO, this dependable crew was approved as Washington's exclusive instrument for fighting poverty in Bolivar County. When CDGM got its renewal on February 22, all funds for Bolivar County preschools were withheld, on the ground that Bolivar's CAA had not okayed the CDGM operation in the county, and indeed was setting up a competitive program. All eight Negroes on the Bolivar CAA have since voted against funding the CDGM centers, preferring to run their own show.

If Bolivar County were an isolated case, it would not be especially significant. But all over Mississippi white officials are organizing community-action agencies in order to retrieve or maintain their traditional hold on federal funds coming into their jurisdiction. These CAAs will almost all seek money for Head Start programs of their own, just as Bolivar County has. While it is not yet clear that they will get the money in preference to CDGM, there is little reason for optimism in CDGM circles. Nor is there much reason for optimism about the Head Start programs that the CAAs will sponsor. They will not provide many poor Negroes with jobs; they will exclude teachers who are not academically "qualified," irrespective of teaching ability; they will get teachers who have spent many years adapting their ideas and personalities to the rigid exigencies of Southern Negro schools. Nor will it be easy in many counties for Head Start directly under CAA jurisdiction to hire persons with a deep commitment to civil rights. Nor, most important of all, will they try to infect their children with the self-respect and self-discipline which CDGM values. Mostly, they will provide their charges with a foretaste of the do-what-teacher-says world of first grade, emphasizing discipline, restraint and docility, idealizing the future schoolteachers instead of, say, future SNCC field secretaries. In the end, then, CDGM will probably have nowhere to operate and its uneducated but often remarkably adept teachers will have nowhere to work. Hopes will have been aroused; possibilities glimpsed; that is all.

How can OEO have embarked on such a course? If it wishes to back a coalition of white and black "moderates," why did it ever get so deeply involved in this extraordinary experiment of CDGM?

The answer, I think, is that OEO is torn between good intentions and good politics. The war on poverty has been predicated on the notion that there is such a thing as *a community*, which can be defined geographically and mobilized for a collective effort to help the poor. This theory has no relationship to reality in the Deep South. In every Mississippi county there are *two* communities. Despite all the pious platitudes of the moderates on both sides, these two communities habitually see their interests in terms of conflict rather than cooperation. Only when the Negro community can muster enough political, economic and professional strength to compete on somewhat equal terms, will Negroes believe in the possibility of true cooperation and whites accept its necessity. En route to integration, the Negro community needs to develop greater independence – a chance to run its own affairs and not cave in whenever "the man" barks. By demanding what today passes for "cooperation," OEO will only perpetuate the subordination of Negroes to the whites.

Or so it seems to me, and to most of the knowledgeable people with whom I talked in Mississippi. To OEO, this judgment may sound like black nationalism, or a formula for getting one's budget cut on Capitol Hill. So far as OEO is concerned, federal funding of independent Negro-controlled programs seems certain to remain an emergency measure, used only when local whites refuse to make what OEO regards as reasonable concessions. If this kills any hope for daring, effective antipoverty programs in the Deep South, that is the price we pay for the appearance of consensus.

Things Go Better by Mail?

'Dear Coke: It's Spirit That Counts, Not Letters'

DALLAS, Tex.—Negotiations for a first contract between the RWDSU and the Coca-Cola Bottling Works have opened with a rather unusual arrangement.

The union agreed to the company's request to submit all non-economic proposals by mail, after which the company will reply to the union in the same fashion. The union will then submit all of its economic demands, again by mail, and the company will respond by letter to the union.

After the letters have gone back and forth, both sides will sit down, face to face, for serious negotiations May 10.

The wages and conditions of 400 workers are involved in the talks. Led by Int'l Rep. Jake Stewart, the RWDSU won an NLRB election at Coke in January by a vote of 212-157. The company filed objections with the board in Washington, claiming the union had used organizing leaflets that were "unfair, inaccurate and misleading." The board rejected the company's claims, and on March 18 notified the company to begin bargaining for a contract.

The RWDSU members at the Coke plant are production and maintenance workers, over-the-road drivers, driver-salesmen and receiving and sign maintenance employees.

TWO MORE ELECTION WINS SPUR SOUTH DRIVE

MIAMI, Fla.—The RWDSU's Southern organizing drive racked up its 25th and 26th victories in less than a year with NLRB election wins early this month among 80 workers at the Master's discount store here and 40 at the Claxton Insulation Co. in Atlanta. The wins bring to more than 3,100 the number of workers in shops where the union has won elections since last May. The victory at Masters, on April 2, won despite a strong anti-union drive by the company, was by a 36-27 margin, with 19 challenged ballots. Sixteen were supervisors challenged by the union.

"We are confident of winning this," Int'l Rep. Harry Bush, who headed the drive, said.

The NLRB is now investigating the challenges.

Because of the company's continuing anti-union activity, the union is considering an unfair labor practice strike against Master's.

More than half of the workers at the store are Cuban refugees. On the request of Int'l Pres. Max Greenberg to Local 1199 in New York City, Local Vice-Pres. Armando Ramirez went to Miami and participated in the campaign's last two weeks.

"We couldn't have won without him," Bush said.

Local 885's drive at Master's began in late October, and the union filed for an election in December, but company objections delayed the vote until this month.

The employees were formerly members of another union, whose contract expired at the end of December, but the other union had no interest in retaining the unit and kept neutral during the RWDSU's campaign.

Pay Goes From $1.25 to $1.32

Pay of the Master's employees begins at $1.25 an hour, the Federal minimum, and goes to $1.32 after 90 days, but stays there for almost all.

(Four TV salesmen are an exception; they make $75 a week.) The workers also have some fringe benefits.

Leading the drive with Bush were Jose Bango, Mary Higgs, Al Drangle, Buddy Snyder, Francisco Lopez, Arthur Press, Jose Decrisci and Charles Minton. Drangle had been the other union's only shop steward, and as soon as Local 885 began organizing, the store transferred him to another branch 25 miles away, figuring that his transfer would end the drive. It didn't. Drangle remained active, and other workers began pitching in.

The firm, which also has a third store in the Miami area, is a branch of the Master's discount operation, which has its headquarters in New York City.

Win in Atlanta

The union's second Southern victory came in an NLRB election among the 40 Claxton workers April 4, won by a unanimous 22-0 tally—the first unanimous victory for the RWDSU in Atlanta in nearly ten years.

Negotiations for a first contract were to open April 13. The union will ask for substantial wage increases above the current $1.50 an hour minimum, job security, holidays, vacations, sick leave and welfare coverage. Ellie McDuffie, Thomas Alexander and Int'l Rep. Guy Dickinson are negotiating for the union members.

Of the 18 workers who didn't vote, 15 were ineligible, having been hired after the board's eligibility cut-off date.

350 Taste Fruits of Union In 2nd Griffin, Ga. Pact

GRIFFIN, Ga.—By a vote of better than 2-1, members of Local 315 employed at the Pomona Products plant ratified a new three-year agreement April 12.

The existing contract, the first for the workers, was won last July after a one-day strike by 350 employees, mostly Negroes, in a protest against segregated facilities and discriminatory wage rates.

The new agreement, which goes into effect May 1, covers some 200 year-round employees and another 150 workers who work from 800-1600 hours a year. At the peak of the food-processing season, the company also employs 450 additional workers.

The contract provides for wage increases for the regular workers of 4½ percent each year, amounting to 18 to 25 cents an hour, one additional holiday this year and one more next year, for a total of six. For the first time, regular workers with ten years of service will be entitled to three-week vacations.

Seasonal employees will receive an increase of 17 cents an hour spread over three years, and—for the first time—the night shift premium of five cents an hour and report-in pay.

The agreement calls further for upgrading for a few workers and improved holiday pay.

At the contract's end, wage rates will range from $1.45 to $2.02 an hour.

Int'l Rep. Guy Dickinson, who headed the union negotiators at Pomona, said: "We have a long way to go here, but we've made a lot of progress. Next time, we'll have wages up to where the workers can have a decent living, and we're going to ask for a pension plan."

In addition to Dickinson, the negotiating committee consisted of chairman Jean Reid, Ruby Lee Reid—they are sisters-in-law—Mabel Harris, Willie B. Harris, Hamp Owens and Robert Curtis.

N.C. Lumber Mill Vote Apr. 22

HERTFORD, N.C.—The NLRB will hold a bargaining election among the 51 employees of the Hertford Veneer Co. April 22—a month and a half after the NAACP chapter here held a demonstration for civil rights and equal job opportunities that started the organizing campaign.

Local 26 has signed up 42 of the lumber mill's 47 Negro employees, and expects to win the vote without any trouble.

During the NAACP demonstration March 9, the white owner of Hertford joined city firemen in hosing down Negro demonstrators. With water from a hose, he knocked down a young demonstrator, the child of one of the employees, and when the father went to help his child, he too was knocked to his feet.

Shocked by their employer's actions, the workers asked the civil rights group to help them organize a union, and the next day Local 26 Pres. Lock Parker drove the 40 miles from Suffolk, Va., to Hertford. In a short time he had signed up a majority of the workers.

The Hertford drive points up the close tie between union organizing in the South and the civil rights movement. During the past year, some 3,500 Southern workers have joined the RWDSU, many of them Negroes who see unionization as securing, on-the-job, gains that the civil rights movement is making in other areas.

Happy Guy Hits Hole-in-One

ATLANTA, Ga. — Int'l Rep. Guy Dickinson had a golfer's greatest thrill this month when he hit a hole-in-one.

Playing the par-three, 163-yard third hole at the John A. White course here, Dickinson hit a five iron shot onto the green, and the ball rolled in.

"It's my first hole-in-one after six or seven years, and I'm really proud of it," Dickinson said.

Local 343 Vice-Pres. Jim Adams and three local members were in Dickinson's sixsome.

Memphis Strike In Sixth Week

MEMPHIS, Tenn.—The morale of 50 members of Local 19 remains high as their strike for a first contract at the National Mfg. Co. went into its sixth week.

The company is bringing in scabs and filing false accusations against members of the local, and the police appear to be helping by dragging several members from their beds in the middle of the night to jail. Seven arrested workers have been freed of all charges, however, and the move backfired on the company.

"When the jury threw out these cases, it lifted the morale of the people and showed that they are getting some justice out of this," Pres. Earl Fisher said.

The union may sue the company for false arrest.

In the strike, all issues except recognition of the union are in dispute: wages, job security, a dues check-off, a grievance procedure, a classification system, job bidding for promotions, vacations and holidays, and hours of work and overtime.

The local won an NLRB election among National's 50 workers, 47 of whom are Negroes, in November.

Old Dominion Vote May 4

NORFOLK, Va.—The NLRB will hold a bargaining election among the 75 employees of the Old Dominion Peanut Corp. May 4.

Local 26 has signed up a majority of the workers, and expects to win the election.

The local represents nearly 2,000 workers in the peanut industry in southern Virginia, including 1,500 workers at the Planters Peanut plant in Suffolk, 30 miles away.

VJ: did you know this?

Please return .

jb.

Return
to
Joan Browning

Coalition COPE MEMO

4/18/66

Atlanta Union Halls Open for Registration

In Fulton County (Atlanta) Ga., they'll be registering citizens to vote in the union halls from now on.

Thanks to the efforts of the Alliance for Social, Economic and Political Progress—a liberal coalition of labor, minority and church groups—more than 40 deputy registrars have been appointed, many of them union members and officials.

Instrumental in starting the program was W. H. Montague Sr., president of the Georgia AFL-CIO, who is chairman of the Alliance voter registration subcommittee.

Montague said union halls would be used as registration sites not just for union members but for all citizens who wish to register. Registrars will be in union halls every day, all day, Montague said.

AM, N. C., FRIDAY, APRIL 29, 1966 Coalition Price Per Copy Five Cents

Do They Think Tobacco Workers Are Fools

Carolina Labor News

Recent events in Durham County politics make us wonder if certain people don't grossly underestimate the intelligence of those workers who toil (and toil certainly is the right word in this day of speed up and automated equipment) in the tobacco factories in Durham County.

These certain people gathered around a certain nonunion building contractor in Durham County recently announced that they couldn't support Nick Galifianakis or Bill Wood of Winston-Salem for Congress in the newly created Fifth Congressional District.

They are telling the tobacco workers that these men are not conservative enough to have their support and are hinting that we should support some other candidate in this race.

They haven't completed the insulting yet because they have not told us exactly who it is that we are supposed to vote for but it is becoming more apparent who that candidate will be every day.

Actually, there are only two other candidates Harold W. Thomerson who has served as chief legislative aid and personal assistant for the last three congressmen from the old Fifth District.

All these congressmen have had staunch ultra-conservative, anti-labor records and have shown little or no concern for the problems of working people. Mr. Thomerson did not appear at the Committee On Political Education screening committee meeting and thus we must assume that he would only carry on the tradition and record of those anti-labor congressmen he has served.

This leaves only Smith Bagley, the millionaire grandson of R. J. Reynolds who founded and has controlled the only nonunion cigarette company in the United States. This money is actually a result of the exploitation of the tobacco workers at the nonunion RJR Tobacco Company and they expect Durham tobacco workers to VOTE for someone who represents everything that Durham tobacco workers have fought against since our unions were organized during the depression.

No We Are Not Fools

They tell us we can't vote for Nick Galifianakis — Why? Because Nick Galifianakis introduced and fought hard to raise the state income tax exemptions for all workers dependents from $300 to $600 each and because he supported the dollar minimum wage and other programs to help workers and farmers.

They tell us we can't vote for Bill Woods—Why because after voting to raise the minimum wage of N.C. Workers to at least $1 per hour; he then introduced and fought for a $1 per hour minimum wage for state and local government workers.

DURHAM TOBACCO WORKERS WILL SHOW THESE PEOPLE ON ELECTION DAY THAT WE KNOW WHERE OUR BREAD IS BUTTERED BY VOTING FOR OUR FRIENDS.

Some People Will Play With Fools Gold! Not Us

This paper has never really been a paying project, it wasn't really meant to be because it was set up to help educate union members on issues the daily press ignored or distorted. We need money now, but we have never sold out any workers and we certainly don't intend to start now. We expect some workers in Durham to take some of the millionaires money, but in spite of the fact that we need money, his millions can't buy an ad in this paper.

Labor's Committee On Political Education consisting of local union people in Durham, Reidsville, Leaksville-Spray-Draper and Winston-Salem have screened the candidates and found only Nick Galifianakis and Bill Wood acceptable and we wholeheartedly concur in this finding. We urge you to register and vote for your bread and butter.

Coalition 5/1/66 Auxpsu

SOUTH

CIVIL RIGHTS-LABOR TIE ADDS A PLANT IN FLORIDA

JACKSONVILLE, Fla.—Ties between the civil rights movement and the RWDSU have once again led to the organization of a group of workers—this time in Florida. The RWDSU has chartered a new affiliate, Local 589, as a result of a highly successful organizing campaign among the 85 workers of the Mullis Poultry Co., processors of frozen poultry products.

The local, under its acting president, Erskine Hepburn, a former Florida state NAACP labor advisor, has signed up 65 of the 85 employees since it began organizing last month, and on April 18 filed for an election with the regional office of the NLRB.

The workers at Mullis, mostly Negro women, earn only the Federal minimum of $1.25 an hour, have no benefits at all, no job security, and no assurance of steady work. Sometimes they work 30 or 35 hours a week, and often they work less.

Int'l Rep. Harry Bush attended several meetings of the workers, and has acquainted them with the RWDSU programs and benefits. He emphasized that the union would give them strength. This was quickly borne out when the company fired four workers for being one minute late—but one week later, on April 26, sent them telegrams to report for work with full back pay, as a result of a strong protest by Hepburn.

Recruitment of the Mullis workers—and the hope that organization of other shops in Jacksonville will follow, came about through discussions last fall involving Cleveland Robinson, secretary-treasurer of District 65 in New York City and a well-known figure in the civil rights movement, officials of the NAACP and the Brotherhood of Sleeping Car Porters, RWDSU Exec. Vice-Pres. Arthur Osman and Bush.

Throughout the South such contacts have led to the organization into RWDSU of most of the 4,000 new members organized in the past year.

Hepburn reported that Local 589 will elect officers at a meeting Friday, May 6.

STATEMENT OF ANDREW J. BIEMILLER, LEGISLATIVE DIRECTOR
AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS
TO SUBCOMMITTEE NO. 5 OF THE HOUSE JUDICIARY COMMITTEE
ON H.R. 14765, THE CIVIL RIGHTS ACT OF 1966

May 24, 1966

Mr. Chairman, my name is Andrew J. Biemiller. I am Legislative Director for the American Federation of Labor and Congress of Industrial Organizations. Accompanying me is Thomas E. Harris, our Associate General Counsel. We appreciate this opportunity to present the views of the AFL-CIO on this important matter.

The proposals which this Subcommittee are considering deal with two major problem areas in the functioning of American democracy. The first has to do with the administration of justice; the second with discriminatory housing practices.

In both of these fields there are large and acute evils which must be eradicated; and the AFL-CIO welcomes the determination of the President and the Congress to face and face squarely the difficult issue of how best to remedy the deficiencies which all of us recognize.

We all, I am sure, believe in equal justice under law; and we all, I am sure, believe that no part of our population should suffer discrimination in so vital a matter as a place to live. The question is how to implement these principles.

The AFL-CIO indorses and supports H.R. 14765. We think it provides constructive and effective cures for the evils with which it deals, and we urge its enactment. We believe that the bill could be strengthened in a few particulars which we suggest below, but in general we are for it.

I will discuss successively the various titles of the bill, indicating in each instance what, if any, changes we think might be made.

Titles I and II

Titles I and II undertake to end discrimination in jury systems, in, respectively, the federal and state courts.

Up until now three different groups have been discriminated against in various areas as respects selection for jury service. These

groups are: first, Negroes and perhaps members of certain other minorities; second, women; and third, people with low incomes. The discrimination may be de facto or de jure.

Discrimination against Negroes is unquestionably most acute in the South.

Discrimination against women is also concentrated in the South but is probably also more prevalent de facto in rural and small town areas than in cities. Also, both of these types of discrimination are much more prevalent in state than in federal courts.

On the other hand discrimination in selection for jury service against people having low incomes is decidedly not a peculiarly southern vice, and it is probably more prevalent in federal than in state courts and in cities than in rural areas. Mr. Thomas Dewey, when he was a young district attorney, was an advocate of the so-called blue ribbon jury -- in state courts in New York City. But the use of blue ribbon juries is at least as prevalent in federal courts as in state courts generally.

Prosecutors have the idea that juries drawn from the upper economic strata are readier to convict. We commend Attorney General Katzenbach for his willingness to forgo this advantage for prosecutors, if indeed it is one, and for his recognition that discrimination on grounds of economic status is just as violative of the equal protection of the laws as discrimination on grounds of race or sex.

There is another reason for banning discrimination on the basis of economic status. It is that if such discrimination were permissible it could perpetuate, in a different guise, discrimination against Negroes and other minority groups.

We therefore agree with the sponsor of H.R. 14765 that all three types of discrimination -- i.e. race, sex, and economic status should be ended. Further, we agree that the language of the bill is clear and straightforward, viz. (p.2, lines 9-12):

> "No person or class of persons shall be denied the right to serve on grand and petit juries in the district courts of the United States on account of race, color, religion, sex, national origin, or economic status."

The same terminology is used in the provision as to state courts.

However, we suggest that the procedure for enforcing these standards might well be strengthened.

In the case of state juries, the bill authorizes the Attorney General to bring injunctive proceedings against state jury officials. However, the bill does not contain any such authorization in the case of federal juries, evidently upon the assumption that federal judges and jury commissioners will be readier to effectuate the bill's bans on nondiscrimination than will their state counterparts. Even if this assumption is correct there has been, as the Attorney General acknowledged, some discrimination in the federal courts, and we see no reason why the provision for suits by the Attorney General should not be applicable to federal juries as well as to state.

More important, we are doubtful that the enforcement provisions of the bill are adequate even in the case of state juries. The bill does provide a discovery procedure to make it easier to find out whether unlawful discrimination has occurred in the jury selection process. This procedure is available to the Attorney General in civil suits brought by him and to defendants in criminal prosecutions. However, for enforcement of its bans on discrimination the bill relies exclusively on adjudications in individual law suits, either where the issue is raised by private litigants or in suits brought by the Attorney General.

We are doubtful that this sort of spot policing will be adequate to end jury discrimination. It has not been adequate to end discrimination in other fields.

As respects the right to vote, for example, prior to the Voting Rights Act of 1965 earlier legislation relied for enforcement on suits brought by the Attorney General or by voters. Suit had to be brought in each election district, and in each separate suit there had to be an adjudication whether there had been an unlawful deprivation of the right to vote. We foresaw that these provisions would prove to be inadequate. We testified, when the bill was before Congress that implementing the Fifteenth Amendment by law suits was like trying to paint a wall with a fountain pen.

Our forebodings proved to be well founded, as testified by the Voting Rights Act of 1965.

The 1965 Act utilized several novel devices to counter enforcement difficulties. It provided an automatic triggering test, i. e. whether fewer than 50% of eligible persons were registered or voted. It provided for determinations applicable throughout major geographic units, i. e. States or counties. It provided for the use of federal examiners to register voters, and for federal observers at elections.

These provisions, in contrast to their predecessors, seem to be proving effective.

As respects school desegregation, too, individual law suits proved to be a slow and ineffective way of vindicating constitutional rights.

On the basis of these experiences, we suggest that broader scale procedures for the implementation of Title II may be needed than enforcement through individual law suits. We believe the suggestions on this point made by Roy Wilkins in his testimony for the Leadership Conference on Civil Rights have substantial merit and deserve the attention of this Committee.

TITLE III

This Title deals with discrimination in the schools and other public facilities. It eliminates certain existing limitations on the bringing of suits by the Attorney General, and provides for broadened relief.

We are in favor of the enactment of Title III as written.

Since the Attorney General's testimony of this Title was rather general, we propose to give a concrete illustration of why this Title is needed.

In 1950 some Negro parents brought suit against school officials in Clarendon County, South Carolina, seeking the admission of their children to the white schools. In 1951 the federal district court ruled that the schools were very separate but not very equal, and that the plaintiff's rights under the Fourteenth Amendment were being violated. However, the court did not order that the children be admitted to the white schools: it ordered that the Negro schools be made equal.

In 1954 the Supreme Court likewise held that the Negroes' constitutional rights were being violated, on the ground that segregation by races is inherently unequal. This case was one of the four decided by the Supreme Court in Brown v. Board of Education, 347 U. S. 483. In 1955 the Supreme Court, on reargument, ruled that integration should proceed with "all deliberate speed," and the case went back to the district court.

In the District Court the deliberation has been more evident than the speed. It was not until the fall of 1965 that the district court finally required the admission of six Negro children to white schools in Clarendon County.

Of course these were not the same children whose parents had started the litigation. A child who was six years old in 1950 was 21 in 1965. However, one Negro girl whose parents had intervened later, and were parties in the 1954 Brown cases in the Supreme Court, did finally get into a white school at age 17 after 11 years of litigation. Incidentally, according to news reports, the whites have been giving her a bad time.

Of course the litigation isn't over. The court has retained jurisdiction and has ordered further desegregation next fall. Anyway, Negro parents, with the help of the legal defense fund of the NAACP, have been carrying on this litigation for 16 years, and the end is not in sight.

The Department of Justice has not brought suit in this situation. The burden of the litigation has been left to the parents and to the legal defense fund. The Department of Justice could bring suit under Title III of the Civil Rights Act of 1964 if the Attorney General certified that the parents were unable to maintain appropriate legal proceedings, which means under the statute that they "are unable either directly or through other interested persons or organizations, to bear the expense of the litigation ***."

How can the Attorney General determine such a thing as that? The legal defense fund of the NAACP is presumably able to sustain a certain volume of litigation, but what is the basis for saying that it is able to maintain one particular suit and not another?

More broadly, it is our view that the burden of vindicating these constitutional rights should rest on the Federal Government, and that it should rest there regardless of whether particular parents can or cannot afford to sue. That is one reason why we urge the enactment of Title III.

The other reason is the physical and economic intimidation which faces Negro parents in some areas. Title III authorizes the Attorney General to seek injunctions against such intimidation, and we are of course strongly in favor of that.

Title IV

The AFL-CIO likewise strongly supports Title IV of the proposed Civil Rights Act of 1966.

Organized labor has long been in the forefront in the fight for fair housing legislation. Laws enacted by a large number of states and municipalities to outlaw discrimination in housing have been placed on the statute books with the full backing, and often on the initiative of, organized labor.

The Sixth Constitutional Convention of the AFL-CIO, held last December, called for equal housing opportunity in these words:

> "A key feature of labor's housing program is its drive for equal housing opportunity for all Americans. There is no place in America for racial ghettos. Equal access, without regard to race, creed, color or national origin, to every residential neighborhood in every American community should be assured for every family in America. Equal opportunity in housing should be assured in all programs in which housing is provided with Federal aid or is protected by Federal insurance of mortgages or guarantee or regulation of mortgage loans."

The national purpose was pledged by Congress in the Declaration of National Policy set forth in the National Housing Act of 1949 (Public Law 171, 81st Congress; 63 Stat. 413; 42 U. S. C. 1441), which stated:

> "The Congress hereby declares that the general welfare and security of the Nation and the health and living standards of its people require...the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family, thus contributing to the development and redevelopment of communities and to the advancement of the growth, wealth, and security of the Nation."

This Congressional affirmation of the national goal in a basic legislative enactment underlying all Federal housing statutes promulgated from 1949 to date, should be viewed in the light of the Nation's resolve proclaimed by the 14th amendment to the Constitution. The 14th Amendment declares that no State should deny "the equal protection of the laws" to any person, regardless of race.

The Supreme Court has said /Shelley v. Kraemer, 334 U.S. 1 (1948)/:

> "It cannot be doubted that among the civil rights intended to be protected from discriminatory state action by the Fourteenth Amendment are the rights to acquire, enjoy, own, and dispose of property. Equality in the enjoyment of property rights was regarded by the framers of that Amendment as an essential pre-condition to the realization of other basic civil rights and liberties which the Amendment was intended to guarantee."

And the Supreme Court has held, in that case, that the 14th Amendment prohibits the courts, as instrumentalities of the states, from enforcing private racially restrictive covenants. In another case /Hurd v. Hodge, 334, U.S. 24, (1948)/, the Supreme Court applied similar prohibitions to the Federal government and its courts, as well.

The U.S. Civil Rights Commission, in its 1961 Report on Housing, reviewed the constitutional problem involved here and arrived at this compelling conclusion:

> ". . . it poses the question whether, as a matter of national policy, the Federal Government can permit itself to be involved in the denial of equal opportunity; whether the Federal Government, which has established national housing programs to achieve a national purpose, should not take affirmative steps to move upward the achievement of equal opportunity in housing for all Americans. The Supreme Court has recognized that 'Equality in the enjoyment of property rights' is 'an essential pre-condition to the realization of other basic civil rights.' If the achievement of this 'essential pre-condition' is not here the explicit command of the Constitution, it is nonetheless its promise."

What opposition there is to the assurance of equal opportunity in housing to all Americans regardless of race, when it is not the result of outright race bias, is usually based on misinformation or ignorance of the facts.

One widely broadcast misconception prompting such opposition is that property values will drop whenever non-white families move into a previously all-white neighborhood. There is absolutely no documentary evidence to support this contention. It is a myth which has been completely exploded.

A comprehensive study of property values was conducted for the Commission on Race and Housing, a distinguished citizens' group which included nationally known specialists in the social sciences, by Dr. Luigi Laurenti. Its findings are included in the volume, Property Values and Race, (University of California Press, 1960). Dr. Laurenti's research involved 20 neighborhoods in San Francisco, Oakland, and Philadelphia, where Negroes had entered during a span of 12 years.

With each of the three cities he studied, Laurenti compared price movements in "test" neighborhoods with those in similar neighborhoods which had remained all-white over the same period. The price transactions studied covered a 12-year period from 1943 to 1955. Over 9,900 sales prices were analyzed comprising about 40 percent of all the sales during the study period. Almost all the neighborhoods consisted of single-family, owner-occupied residences and were not contiguous to other areas of non-white population.

In 44 percent of the comparisons, prices showed gains which ranged from five to 26 per cent. Another 41 per cent of the comparisons showed no significant change in price behavior. The other 15 per cent showed declines but none were over 15 per cent.

Put another way, 85 per cent of the cases either showed upward improvement or remained stable.

The results of the studies in these three cities are consistent with those made by other investigators who studied similar areas in Chicago, Kansas City, Detroit, and Portland, Oregon.

In the volume, Property Values and Race, Laurenti concluded:

> "The major statistical finding of the present study is that during the time period and for the cases studied the entry of non-whites into previously all-white neighborhoods was much more often associated with price improvement or stability than with price weakening. A corollary and possibly more significant finding is that no single or uniform pattern of non-white influence on property prices could be detected. Rather, what happens to prices when non-whites enter a neighborhood seems to depend on a variety of circumstances which, on balance, may influence prices upward or downward or leave them unaffected."

Another myth, long since exploded, is that neighborhood standards will go down whenever Negro families become part of the neighborhood.

Extensive studies have shown that Negro homeowners are just as concerned with neighborhood standards as any other citizens. Even a poll conducted more than twenty years ago by the National Association of Real Estate Boards supported the fact that Negro homeowners maintain their properties as well as whites.

There are good standards and bad standards in both white and non-white neighborhoods.

Overcrowding, economic exploitation, and neglect of buildings by landlords contribute to the creation of slums, regardless of the color or national origin of the residents. But slum areas, with which the Negro stereotype is all too often associated, generally were badly deteriorated before Negro residents fell heir to them.

Equal access to housing, regardless of race, creed or national origin in a free market, should be a part of the American way of life. Equal opportunity in housing is intimately linked to equal opportunity in schooling and to other civil rights.

The AFL-CIO strongly supports the enactment of Title IV because it will remove the obstacles that impede the rights and opportunities of Americans on the unjust basis of their race, creed or national origin. We support it, above all, because its enactment will broaden the horizon of American democracy and will extend the opportunity to contribute to the strengthening of community life to every citizen of our country.

In addition, we believe the committee would be well advised to explore with care the possibility of adding administrative enforcement procedures to this title. As this committee knows from our previous testimony on civil rights matters, we consider administrative enforcement less cumbersome, more immediate and generally more effective in matters of this kind. We hope you will consider carefully adding administrative procedures to this title.

Title V

This Title has to do with crimes against Negroes and civil rights workers.

There have been numerous such crimes in recent years, but very few convictions, particularly in the state courts. Something needs to be done; and if anyone has any doubt of that we suggest that they read the 1965 Report of the U. S. Commission on Civil Rights. The shocking breakdown of law enforcement in the South, as respects Negroes and civil rights workers, is there set forth in horrifying detail.

Certain violent deprivations of civil rights are made criminal by the Federal Criminal Code, Title 18 U. S. C. § § 241 and 242, but these provisions, which date back to Reconstruction days, contain technical deficiencies which make it very difficult for the government to prove a case under them. Title V parallels but does not supplant these existing federal criminal statutes, and undertakes to cure some of their deficiencies.

The jury selection proposals of Titles I and II also of course relate to the general problem of the administration of justice, which is most acute in, though it is not confined to, the South.

Title V was drafted in the light of the recent Supreme Court decisions in United States v. Price, and United States v. Guest. In those decisions the Court sustained the sufficiency of the indictments, but it pointed out that the requirements of proof under existing law are difficult to meet, and the Court suggested that Congress enact more specific provisions. Title V embodies such provisions, and we urge its enactment.

Under Section 241 it is necessary for the government in a case like Guest to prove that the defendants had a specific, wrongful, intent in two different respects. In the first place, the government must prove, as in the case of nearly all criminal statutes, that the defendant intended to commit the prohibited act, as, for example, that the defendant intended to murder or injure the victim, and that the death or injury was not the result of accident. This sort of intent is a normal and proper prerequisite to conviction in criminal cases. Under Section 241, however, the government must also show a second type of specific intent, viz., that the defendant also intended to interfere with the victim's exercise of some right or privilege secured to him by the Constitution or laws of the United States. The government must show, for example, not only that the defendant murdered a Negro, but that he murdered him to keep him from voting, or attending a desegregated school or exercising some other federally protected right. Proof of this sort is unlikely to be available, and one of the purposes of Title V is to obviate the need for it.

Section 501(a) substitutes for the specific intent requirement we have been discussing the requirement that the defendant must have injured the victim (1) because of his "race, color, religion or national origin", (2) while the victim is engaging or trying to engage in the exercise of any of various enumerated federal rights, such as voting or attending a public school.

Under this provision it would still be necessary to show that the defendant injured his victim because of his race, etc. In other words the specific intent requirement is shifted from intent to prevent the victim from voting, for example, to intent to injure him because of his race while he is voting.

Evidence of racial animus is more likely to be available than evidence that the defendant intended to prevent the exercise of some particular federal right. Even with the new provisions on the books, however, the task of the federal prosecutor will still be a most difficult one. In a case like Guest it will still be necessary for the prosecutor to show not only that the defendants deliberately killed their victim, but they did so because he was a Negro.

In general we think the Department of Justice has done a good job in drafting Title V. We suggest, however, that the language should be revised to make it clear that traveling on a public highway is a protected type of activity. That is what was involved in the Guest case; it is clearly sufficient as a constitutional basis for a federal intervention; and there will be cases where it may not be possible to prove that the victim was engaging or seeking to engage in any of the other types of activities enumerated in the bill.

CONCLUSION

Let me conclude with a brief observation. This Congress and its predecessor are certain to go down in history for the trail-blazing legislation passed in 1964 and 1965 in this field. All of us who played any role whatsoever in achieving the civil rights legislation have a right to be proud.

But so much more remains to be done, Mr. Chairman, that none of us can pause for self-congratulations.

We have all read reports that this Congress is tired of the subject; that this Congress believes this is no time for another civil rights battle; that 1966 should be the year of stock-taking, not action.

Well, we just don't believe those reports.

We believe this Congress will recognize -- as did the President in the message

in which he submitted this bill -- that the unresolved problems are many and great but that they can be solved, as indeed they must be solved.

We in the AFL-CIO are dedicated to the belief that true and absolute equality of opportunity is possible in America and we intend to help achieve it. That, we are confident, is the mood of the American people and we believe it to be the intention of this Congress.

Rec'd 5/31/66

AFL-CIO News

Vol. XI | Issued weekly at 815 Sixteenth St., N. W. Washington, D. C. 20006 $2 a year | Second Class Postage Paid at Washington, D. C. | Saturday, May 28, 1966 | No. 22

House Approves Wage Bill, Adds 8 Million to Coverage

LBJ Vows Battle for Program

Pres. Johnson pledged his Administration to continue the fight for a broad program of economic, social welfare and labor legislation as he addressed 200 members of the Intl. Labor Press Association at a briefing and reception at the White House.

"We will try again and will not relent in our efforts," he said. He listed, among others, repeal of Section 14(b) of the Taft-Hartley Act; revision of the unemployment compensation law, with higher benefits, and federal standards; an increased federal minimum wage, with expanded coverage.

$1.60 Second Step Delayed to 1969

By David L. Perlman

The House voted to increase the federal minimum wage to $1.60 an hour and extend coverage to nearly 8 million workers, including farm workers, but delayed the effective date of the two-step increase until 1969.

After a grueling three-day debate, the House beat back a series of amendments to gut the measure, but a proposal by Rep. Adam Clayton Powell that the second step of the wage increase be delayed from February 1968 to February 1969 carried by a vote of 205 to 193.

The bill would increase the wage floor for 30 million workers now covered by a $1.25 minimum to $1.40 in February 1967. As the House passed the measure, the increase to $1.60 will come two years later.

The AFL-CIO will make a

Workers' Purchasing Power Dips

The purchasing power of the average factory worker dropped between March and April and was

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In introducing the labor editors, Sec. of Labor W. Willard Wirtz told the President that "no other group says so much to so many and is so little recognized."

The editors were in Washington for a two-day conference arranged by the Dept. of Labor. Among the speakers were Vice Pres. Hubert H. Humphrey, who echoed the President's pledge to continue to press for progressive legislation benefiting workers.

Late for the briefing, the President explained he had been detained by a meeting of congressional leaders, four of whom entered with him. They were House Speaker John W. McCormack, Assistant Senate Democratic Leader Russell B. Long (La.), House Majority Leader Carl Albert (Okla.) and Assistant Leader Hale Boggs (La.).

At the President's request McCormack and Long spoke briefly on the leaders' meeting.

"There is scarcely a measure we have proposed which does not affect

(Continued on Page 4)

LABOR EDITORS greet Pres. Johnson in East Room of White House as Labor Sec. W. Willard Wirtz briefs President on earlier sessions at which he and Commerce Sec. John T. Connor spoke to the editors.

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The AFL-CIO will make a strong bid in the Senate to restore the 1968 date which was in the bill when it was reported out by the House Labor Committee.

The vote for final passage was 303 to 93 and an attempt by opponents to knock out coverage for farm workers and weaken overtime coverage of processing employes was defeated 231 to 168.

A critical rollcall came on reversing an earlier teller vote that would have excluded from coverage 1.6 million workers originally covered in the committee's bill. It carried 200 to 195. Other amendments increased the coverage of the measure to 7.95 million workers.

As sent to the Senate, the bill would extend coverage to large groups of retail, hospital, hotel, restaurant, laundry, school and construction workers and—for the first time in the history of the Fair La-

(Continued on Page 12)

Workers' Purchasing Power Dips

The purchasing power of the average factory worker dropped between March and April and was barely above that of a year ago, the Labor Dept. reported.

The rise in consumer prices—up four-tenths of one percent in April—lowered the real spendable earnings of a worker with three dependents to $87.32 compared to $87.80 a month earlier. In April 1965 the figure was $87.23.

The monthly rise in the consumer price index stemmed mostly from a hike of eight-tenths of 1 percent in cost of services including restoration of the excise tax on telephone services, higher FHA and VA mortgage interest rates and larger price tags on medical care, automobile insurance and other personal services.

Food prices, which have risen sharply in the past few months, increased only slightly and pork prices dropped 5.5 percent.

More than one million workers will receive a cost-of-living wage increase as a result of the

(Continued on Page 11)

Get Murray-Green Prize:

Shrivers Aid Strike With Award Money

Sargent Shriver and his wife, Eunice Kennedy Shriver, accepted the first joint citation in the history of the AFL-CIO's annual Philip Murray-William Green award—and promptly gave the $5,000 check that accompanied it to the striking grape workers of California.

The Shrivers, honored for outstanding service to the community, at an award dinner climaxing the 11th AFL-CIO National Conference on Community Services, paid warm tribute to the men and women of labor for their long record of concern for the poor. **(Excerpts on Page 6.)**

Mrs. Shriver, who was cited especially for her work as a foster mother for retarded children, said "American trade unionism has brought a more human life to millions of Americans" and added:

"I hope my four sons will grow up to be men like Mr. Murray and Mr. Green, men of peace and men of change."

Murray was president of the former CIO when he died, and Green of the AFL. The award in their names was established by the AFL-CIO Executive Council in 1956 to honor those who work effectively for the common good.

Double Role

Shriver was saluted for his efforts as head of the Office of Economic Opportunity, the anti-poverty arm of the Johnson Administration, and as former head of the Peace Corps.

AFL-CIO Vice Pres. Joseph A. Beirne, chairman of the federation's Community Services Committee, told the audience of more than 400 that the idea of a joint award originated with AFL-CIO Pres. George Meany.

Accepting the nomination of Shriver for the Murray-Green award, Meany asked "How about

(Continued on Page 12)

Labor Strongly Backs New Civil Rights Bill

Discrimination in justice and in housing are "large and acute evils" that must be eradicated, the AFL-CIO told Congress in testimony calling for enactment of the Administration's 1966 civil rights bill.

AFL-CIO Legislative Dir. Andrew J. Biemiller told a House Judiciary subcommittee that the proposed measure will provide "constructive and effective cures" for the evils of discrimination in housing and in the make-up of juries, as well as in dealing with crimes in the exercise of civil rights and in establishing more realistic methods for rights lawsuits.

"The AFL-CIO welcomes the determination of the President and the Congress to face and face squarely the difficult issue of how best to remedy the deficiencies which all of us recognize," Biemiller declared. He was accompanied by Thomas E. Harris, AFL-CIO associate general counsel.

In giving the federation's "general" support, Biemiller urged that the enforcement provisions in all parts of the bill be strengthened and broadened. Experience with earlier civil rights legislation has taught that "broader scale provisions" are

(Continued on Page 10)

Labor Law Compliance Urged in U.S. Purchases

The AFL-CIO Executive Council has urged Pres. Johnson and Defense Sec. Robert S. McNamara to reverse present Defense Dept. policy by requiring government contractors to comply with federal labor laws.

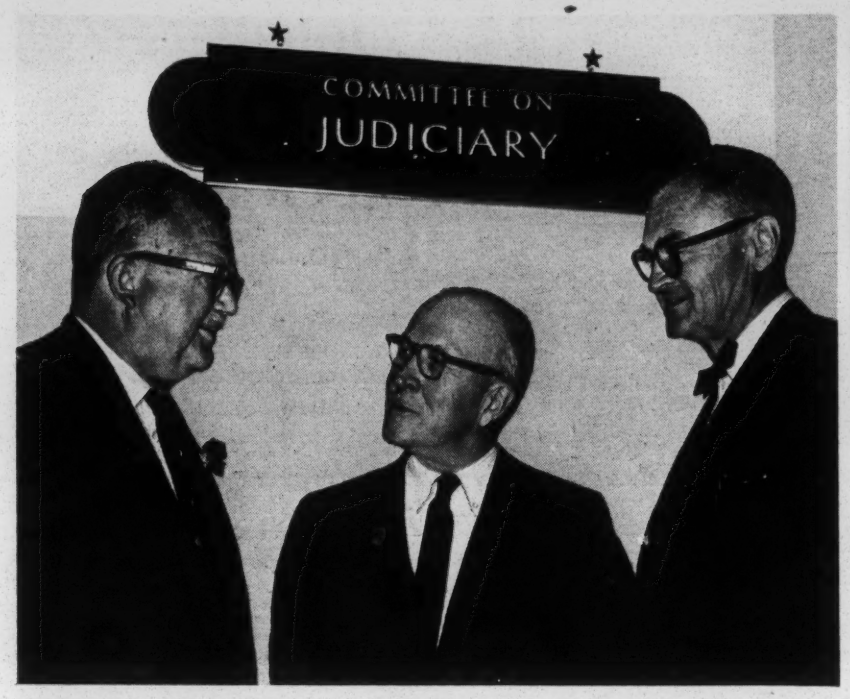
A council statement named J. P. Stevens & Co., Inc., as one of a number of firms which flagrantly and persistently violate the law yet continue to benefit from Defense Dept. contracts. McNamara's department awarded $24 million in defense contracts to the nation's second largest textile manufacturer from January 1963 to July 1965 and more than $21.5 million in the third quarter of 1965 alone while Stevens was pursuing a policy of flouting the labor laws, the council noted.

"This is shocking," the council said in a statement adopted May 6 and held by Pres. George Meany for release until the President and McNamara received it.

Meanwhile, Rep. Frank Thompson, Jr. (D-N. J.) urged in a House speech that the Davis-Bacon and Walsh-Healy Acts be amended to spell out authority for government agencies to withhold contracts from companies found by the National Labor Relations Board to be "open, flagrant, knowing and purposeful" violators of federal laws.

Thompson, chairman of a House

(Continued on Page 9)



STRONG SUPPORT for Administration's civil rights bill was expressed by AFL-CIO Legislative Dir. Andrew J. Biemiller (left) and Associate Gen. Counsel Thomas E. Harris (right) in testimony before House Judiciary Committee. They are shown with Rep. William M. McCulloch (R-O.), ranking GOP member of the committee.

Housing, Jury Bias Hit As 'Large, Acute Evils'

(Continued from Page 1)

necessary to insure rights, he said.

The fair housing guarantees in the new civil rights bill have the backing of the AFL-CIO in convention resolution, Biemiller stated. Laws already on the books of states and municipalities to outlaw discrimination in housing were placed there with "the full backing, and often on the initiative of, organized labor," he said.

"Equal access to housing, regardless of race, creed or national origin in a free market should be a part of the American way of life," he declared. "Equal opportunity in housing is intimately linked to equal opportunity in schooling and to other

a study made for the Commission on Race & Housing of 20 neighborhoods in major cities during a 12-year period. The study disclosed that when a neighborhood became integrated there was more often a price improvement or stability than any price weakening. The report found that "85 percent of the cases either showed upward improvement or remained stable," he reported.

Jury Bias

On selecting juries, Biemiller declared that there is strong need to outlaw discrimination against Negroes and women as well as that which is practiced against persons in low income groups. "Discrimination on grounds of economic status is just as violative of the

Civil Rights Links Credited:

Retail-Wholesale Union Cites Organizing Progress in South

By Gervase N. Love

Miami Beach, Fla.—The Retail, Wholesale & Dept. Store Union has had "amazing success" in organizing during the past year in Georgia and Alabama, Pres. Max Greenberg told some 600 delegates to the union's 10th constitutional convention.

In cooperation with civil rights forces, Greenberg said in his keynote address, the RWDSU has "succeeded in channeling the energies of Negro workers" to the point that "the example set by these most exploited and most downtrodden workers has inspired white workers as well."

"Shops with a total of 5,000 workers have been organized in the past year in such places as Selma and Greensboro, Ala., Griffin, Ga., various towns in Florida and other communities which have never before felt the impact of unionism," he said.

"The success of these efforts is a tribute to the leaders and members of our southern affiliates."

Executive Sec. Jack Paley reported that the union has 239 locals in the United States and Canada. Since the previous convention four years ago, he said, 29 new locals were chartered and 31 went out of existence, half by merger with other locals and the rest in small plants that went out of business or fled to non-union areas.

Sec. of Labor W. Willard Wirtz, making his second speech of the day to a union convention, ridiculed talk of "tired blood" in the labor movement and declared that "most of what we've gained in the last couple of years is what labor has been fighting for for years—and much of the leadership over those years has come from the labor movement."

Earlier in the day he had spoken to the Clothing Workers' convention in Atlantic City, N. J. He left the RWDSU session to fly to St. Louis to appear before the Hotel &

Wirtz, who said he came "to talk over some of our common problems," recounted the country's economic and social gains since the last RWDSU convention in 1962, briefly discussed "where we are" and outlined "where we're going."

In examining the legislative picture, he said flatly that "I don't like the denial of the right to vote" on repeal of Section 14(b).

"But I can't count that year entirely lost despite the failure to repeal 14(b)," he added, "because we've had solid evidence of the resurgence of the organizing spirit, especially in the areas in which this union operates."

He urged letter-writing campaigns to members of Congress in support of consumer legislation, which he said would be the equivalent of a 10 to 20 percent wage increase for those at poverty levels, and for federal unemployment compensation standards.

Wirtz was given a standing ovation when he pleaded for a rethinking of the liberal position and a "new agenda" based on today's needs instead of the "desperation" philosophy of the 1930s.

Greenberg and Wirtz touched common ground in their approach to civil rights, emphasizing the need of translating legal gains into social and economic realities for members of minority groups who have suffered from

Congress. The Canadian section, led by Hugh Buchanan, RWDSU supervisor in Ontario, called for a still further increase of affiliations to the New Democratic Party.

Gen. Sec. Juul Paulsen of the Intl. Union of Food & Allied Workers, with which the RWDSU is affiliated, explained the functioning of the international trade secretariat, its services to members and its aid to unions in developing nations. He thanked Greenberg, a member of the IUFAW Management Committee, or executive board for his "never-failing cooperation."

Facing the delegates was an executive board recommendation that the per capita payments, unchanged since 1958, be raised from 85 cents to $1.15 per member per month. Among speakers still to be heard were Sen. Robert F. Kennedy (D-N.Y.); Pres. Claude Jodoin of the Canadian Labor Congress, Dir. Don Slaiman of the AFL-CIO Dept. of Civil Rights, Executive Dir. Jack Conway of the AFL-CIO Industrial Union Dept., Assistant Dir. H. H. Bookbinder of the Office of Economic Opportunity and Bayard Rustin, civil rights leader.

Jobless Drop Shifts Ratings

Housing, Jury Bias Hit As 'Large, Acute Evils'

(Continued from Page 1)

necessary to insure rights, he said.

The fair housing guarantees in the new civil rights bill have the backing of the AFL-CIO in convention resolution, Biemiller stated. Laws already on the books of states and municipalities to outlaw discrimination in housing were placed there with "the full backing, and often on the initiative of, organized labor," he said.

"Equal access to housing, regardless of race, creed or national origin in a free market should be a part of the American way of life," he declared. "Equal opportunity in housing is intimately linked to equal opportunity in schooling and to other civil rights."

Testifying to one of the arguments used by the bill's opponents, Biemiller declared that there is widespread misconception that property values will drop whenever non-white families move into a previously all-white neighborhood.

"There is no documentary evidence to support this contention," he said, "it is a myth that has been completely exploded."

The AFL-CIO spokesman cited a study made for the Commission on Race & Housing of 20 neighborhoods in major cities during a 12-year period. The study disclosed that when a neighborhood became integrated there was more often a price improvement or stability than any price weakening. The report found that "85 percent of the cases either showed upward improvement or remained stable," he reported.

Jury Bias

On selecting juries, Biemiller declared that there is strong need to outlaw discrimination against Negroes and women as well as that which is practiced against persons in low income groups. "Discrimination on grounds of economic status is just as violative of the equal protection of the laws as discrimination on grounds of race or sex."

The AFL-CIO, he said, approves the bill's provision removing present limitations on the power of the attorney general to initiate lawsuits. It should be the duty of the federal government to carry the burden of "vindicating these constitutional rights," Biemiller declared, and not be the responsibility of individuals or interested organizations, regardless of whether or not they can afford the expense of protracted lawsuits.

He cited an instance where parents in a South Carolina community sued to force admission of their children into segregrated schools. Today, 17 years later, when all of their children except one are above school age, the litigation is continuing and the end is not in sight.

The bill's proposal for dealing with crimes against Negroes and civil rights workers will remain, even if enacted, a difficult matter for federal prosecutors, Biemiller observed.

A prosecutor will be required to first prove, as is generally required, that the accused intended to harm his victim; the prosecutor must then also prove that the assailant acted because of the victim's "race, color, religion or national origin" while engaged in the exercise of his rights.

"Something needs to be done," Biemiller warned, noting that the 1965 Report of the U.S. Commission on Civil Rights had set forth in "horrifying detail" the "shocking breakdown of law enforcement in the South."

The AFL-CIO spokesman rejected the contention that Congress is tired of civil rights legislation and prefers that 1966 be a year of stocktaking.

"We just don't believe those reports," he said. The "mood of the American people" is for equality of opportunity and we intend to help achieve it, he declared.

Wirtz Shifts Rule Banning Race Records

The federal government will identify employes by race as a means of combatting discrimination and uncovering problem areas, Labor Sec. W. Willard Wirtz announced.

Wirtz reversed his department's four-year-old ban on racial identification on job records—including records maintained by the U. S. Employment Service and its network of state offices.

He told a meeting of the NAACP Legal Defense & Educational Fund that statistical data on employment by race is often needed as part of an "affirmative action campaign" against discrimination.

"I am sick and tired," he said, "of the false piety of those who answer inquiries about the racial aspects of their employment or membership practices with the bland, smug answer that 'we don't know because of course we wouldn't keep records on anything like that.'"

Wirtz said no person would be required to list his race against his will and exceptions would be made at present in states with laws prohibiting racial identification on employment records.

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Earlier in the day he had spoken to the Clothing Workers' convention in Atlantic City, N. J. He left the RWDSU session to fly to St. Louis to appear before the Hotel & Restaurant Employes convention. In 16 days, he said, he was traveling 27,000 miles and making nine speeches in six states and two countries.

Wirtz read to the delegates a message of greeting from Pres. Johnson, who hailed the union's contribution to the "dramatic social and economic progress" the nation has made, and to the country's high level of prosperity.

The President pointed out, however, that much remains to be done and declared he would "welcome the continued efforts" of the RWDSU to built the Great Society.

peal 14(b)," he added, "because we've had solid evidence of the resurgence of the organizing spirit, especially in the areas in which this union operates."

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Greenberg and Wirtz touched common ground in their approach to civil rights, emphasizing the need of translating legal gains into social and economic realities for members of minority groups who have suffered from discrimination and inadequate training and education.

Dir. Al Barkan of the AFL-CIO Committee on Political Education declared that in the coming congressional and gubernatorial elections the labor movement "faces a crisis of the first magnitude."

The convention COPE committee filed two reports—one for the U.S. and the other for Canada, where the union has 20,000 members. The U.S. section, headed by Vice Pres. Jack Kirkwood, outlined a detailed program for increased political action aimed at strengthening the liberal and labor forces in

veloping nations. He thanked Greenberg, a member of the IUFAW Management Committee, or executive board for his "never-failing cooperation."

Facing the delegates was an executive board recommendation that the per capita payments, unchanged since 1958, be raised from 85 cents to $1.15 per member per month. Among speakers still to be heard were Sen. Robert F. Kennedy (D-N.Y.); Pres. Claude Jodoin of the Canadian Labor Congress, Dir. Don Slaiman of the AFL-CIO Dept. of Civil Rights, Executive Dir. Jack Conway of the AFL-CIO Industrial Union Dept., Assistant Dir. H. H. Bookbinder of the Office of Economic Opportunity and Bayard Rustin, civil rights leader.

Rights Leaders Gather For White House Parley

Organized labor will participate in the White House Conference on Civil Rights, called to seek the means to assist the American Negro toward practical achievement of his newly-won legislative rights.

The June 1-2 conference was conceived a year ago by Pres. Johnson, who proposed that scholars, experts, Negro leaders and government officials gather to follow up civil rights legislation with new programs "to help the American Negro fulfill the rights which, after the long time of injustice, he is finally to achieve."

The conference is viewed as an attempt to involve the total society in the Negro revolution and will consider proposals in four broad categories—administration of justice, education, housing, and economic security and welfare.

The 2,400 persons to whom invitations have been sent are said to represent a cross-section of the nation. Each will be given a chance to speak out on any proposal, on or off the agenda, and whatever consensus is reached will be transmitted to the President, state and local governments and to a wide range of private interests for action.

Arrangements for the conference began in November when a planning session, in which organized labor was a participant, developed recommendations reflecting a variety of viewpoints.

In February the President named AFL-CIO Vice Pres. A. Philip Randolph as honorary chairman of a 30-member council which was given the responsibility for developing a substantive agenda for the first civil rights conference under White House sponsorship.

Johnson, in his speech at Howard University which announced the conference, said the theme and title would be "To Fulfill These Rights."

The conference's objective would be, the President declared, "to move beyond opportunity to achievement. To shatter forever not only the barriers of law and public practice, but the walls which bound the condition of man by the color of his skin."

Jobless Drop Shifts Ratings Of Six Areas

Six of the nation's major manpower areas moved in March to classifications denoting lower unemployment, the Labor Dept. announced.

One of the areas—Lawrence-Haverhill, Mass.—moved from a substantial unemployment listing (6 to 8.9 percent of the workforce jobless) to a moderate unemployment group (3 to 5.9 percent).

This is the first time since 1955 that the area has moved out of the former category, the department said.

The nation's third and fifth largest manpower centers—Chicago and Detroit—moved from the moderate jobless grouping to the low unemployment category (1.5 to 2.9 percent unemployed). Two major steel centers—the Gary-Hammond-East Chicago area and the Lorain-Elyria, O., area—and Wichita, Kan., an expanding aircraft center. also moved down to the low unemployment listing.

In all, 133 major centers now are in low or moderate jobless categories compared to 121 for the corresponding month a year ago, the department reported.

E. S. Haines Named To Organizing Post

Appointment of Edward S. Haines as assistant director in the Dept. of Organization has been announced by AFL-CIO Pres. George Meany.

Haines, 48, had served as assistant director of AFL-CIO Region 14 —Illinois and Iowa—since 1955.

Before that he was on the organizing staff of the former CIO after service as assistant director of organization for the Packinghouse Workers; as a UPWA international representative and, earlier, as president of UPWA Local 580 in New York City.

Coalition

NEWS from the AFL-CIO

NA. 8-3870

FOR RELEASE: A.M. PAPERS, WEDNESDAY, JUNE 1, 1966

AFL-CIO President George Meany today wished the White House Conference on Civil Rights "every success" emphasizing that to fulfill its goals "the United States must achieve and maintain a full employment economy."

Referring to the conference table, "To Fulfill These Rights," Meany said the goal required the establishment of additional rights as well. He cited the pending Civil Rights Act of 1966, faster school desegregation and wage-hour law improvements as examples.

But "above and beyond these essentials" is the need for "jobs at good wages for all who can work," Meany said, which requires a "continuing effort" by both government and private enterprise.

"Equal opportunity is an empty right when opportunities themselves are too few," he continued.

"By facing up to this fundamental fact, the White House conference can do much to accelerate the fulfillment we all seek -- the fulfillment of true and absolute equality of opportunity throughout America."

The text of Meany's statement follows:

The AFL-CIO welcomes the White House conference on civil rights.

The ultimate success of the conference will depend upon the implementation of programs it will discuss. Its purpose, "To Fulfill These Rights," cannot be achieved without securing additional rights for Americans as a whole.

For example:

The Civil Rights Act of 1966 must be passed.

Segregated education, de facto or otherwise, must be eliminated at a far faster pace. Compliance must be more vigorously enforced. As the labor movement first proposed 12 years ago, there should be a special multi-billion dollar federal school fund to assist affected communities to desegregate effectively and to assure a high quality of education in the process.

The Fair Labor Standards Act must be improved to the full extent voted by the House Committee on Education and Labor.

Above and beyond these essentials, the United States must achieve and maintain a full employment economy. There must be jobs at good wages for all who can work. There must be an adequate system of income maintenance for those who cannot. This demands a continuing effort by both government and private enterprise.

As the AFL-CIO has pointed out many times, equal opportunity and full opportunity go hand in hand. Equal opportunity is an empty right when opportunities themselves are too few.

- more -

By facing up to this fundamental fact, the White House conference can do much to accelerate the fulfillment we all seek -- the fulfillment of true and absolute equality of opportunity throughout America. We wish it every success.

- 30 -

AFL-CIO News

Vol. XI | Issued weekly at 815 Sixteenth St., N. W. Washington, D. C. 20006 $2 a year | Second Class Postage Paid at Washington, D. C. | Saturday, June 4, 1966 | No. 23

Rights Sessions Center On 4-Point Plan of Action

WHITE HOUSE CONFERENCE "to fulfill these rights" is opened by A. Philip Randolph, elder statesman of the civil rights movement and AFL-CIO vice president. The applause is led by Vice Pres. Hubert H. Humphrey, the keynote speaker.

Taxi-Union Wins First N.Y. Pact

New York—With an emphatic vote of approval, representatives of 24,000 taxi drivers and garagemen ratified a landmark first contract providing better wages, shorter hours, pensions, health and life insurance and a full union shop for all drivers, full-time and part-time.

The vote at an overflow meeting in the Hotel Commodore signified the close of one era for the AFL-CIO Taxi Drivers Organizing Committee and the start of another keyed to building the union.

Contract terms, agreed to by labor and management in 80 garages after a five-day strike and mediation by Mayor Lindsay, will go into effect retroactive to May 17. It took the TDOC, formed by the New York City Central Labor Council, more than 20 months to unite industry employes and achieve a contract.

"We've laid the foundation," Council Pres. Harry Van Arsdale told the union's wage and policy committee. "Our job now is to build solidly and well."

Great Achievement

AFL-CIO Regional Dir. Michael Mann told the assembly it had won "the greatest single organizing achievement since the late Thirties."

Among major provisions of the 18-month contract are:

- An increase in driver commissions from 44 percent of meter income to 46 percent as of last May 17, rising to 47 percent next Dec. 1 and averaging $4.50 a week for the contract term.
- Retirement pay of $50 a month for those aged 65 with 25 or more years of service with any New York cab fleet.
- Full union shop

Meany Cites Basic Need For Jobs

By David L. Perlman

An action program to bridge the gap between America's promise and performance in overcoming centuries of racial injustice was laid before 2,400 delegates summoned by Pres. Johnson to a White House civil rights conference.

Delegates were also urged, in a message from AFL-CIO Pres. George Meany, to keep in mind the overriding importance of a full employment economy to make equal opportunity meaningful.

The program drawn up by conference leaders called for bold new steps at every level of government and by private groups to:

- Create immediate job oppor-

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- Retirement pay of $50 a month for those aged 65 with 25 or more years of service with any New York cab fleet.
- Full union shop.
- Breakdown pay for time spent with a disabled cab.
- Life insurance with a special $5,000 benefit for death while on duty.
- Grievance procedure ending in arbitration of disputes.
- Call-in pay.
- A scholarship program for children of covered workers.
- Health and welfare benefits.

The mayor made a final and binding decision on several disputed points. Expressing regret that all issues could not be settled in collective bargaining, Lindsay said "it is time for the parties to learn to live together for the good of all."

Special Arbitrator Eric J. Schmertz, named by Lindsay, awarded mechanics and other inside workers a pay raise of $4 a week; a five-day 45-hour week now, going to 40 hours in December; overtime premium pay; three paid holidays and other improvements.

Yarborough Heads Senate Labor Unit

Sen. Ralph W. Yarborough (D-Tex.) has been named chairman of the Senate Labor subcommittee, succeeding the late Sen. Pat McNamara (D-Mich.).

Yarborough's appointment clears the way for subcommittee action on the House-passed minimum wage bill. The panel also has jurisdiction over the on-site picketing bill and other labor legislation.

Labor is one of three major subcommittees of the Senate Labor & Public Welfare Committee. Sen. Lister Hill (D-Ala.), chairman of the full committee, serves as chairman of the subcommittee on health and Sen. Wayne Morse (D-Ore.) heads the subcommittee on education.

WHITE HOUSE CONFERENCE "to fulfill these rights" is opened by A. Philip Randolph, elder statesman of the civil rights movement and AFL-CIO vice president. The applause is led by Vice Pres. Hubert H. Humphrey, the keynote speaker.

If House Action Stands:

Wage Floor Delay Priced At $2 Billion

America's lowest-paid workers will lose nearly $2 billion unless a House-passed amendment to the minimum wage bill is knocked out by the Senate.

The amendment was hastily tacked on the bill in a surprise "compromise" engineered by Rep. Adam C. Powell (D-N. Y.). It would delay for an additional year the second-step increase in the wage floor for 30 million persons now covered by the Fair Labor Standards Act.

The extra year's delay would mean an estimated $1.96 billion less in pay envelopes.

Under the bill brought to the floor by the House Labor Committee, which Powell heads, the present $1.25 minimum would rise to $1.40 next Feb. 1 and to $1.60 on Feb. 1, 1968.

At Powell's suggestion, made without consulting other committee members and without touching base with the Labor Dept., White House or congressional leaders, the House put off the $1.60 wage level to Feb. 1, 1969.

AFL-CIO economists say the extra year's delay will deprive a full-time worker paid at the legal minimum of more than $400 in wages.

Suggested Delay

Powell suggested, but did not sponsor, the postponement while the House was considering an even more drastic three-year gap between the $1.40 and $1.60 wage steps.

The three-year delay was proposed in an amendment by Rep. Thomas G. Morris (D-N. M.).

Labor legislative experts, who were following the progress of the bill closely, are firmly convinced the House would have rejected the Morris amendment. They believe that Powell's willingness to go along with a 1969 effective date impaired support for the committee bill—even though on the eventual rollcall Powell voted against the amendment he suggested.

Here's how the situation developed on the afternoon of May 26, as the House was nearing the end of its three-day debate on the bill:

The Morris stretchout amend-

(Continued on Page 11)

LBJ Pledges No Turnback On Rights

The United States will not "turn back" from the path of racial justice and full as well as equal opportunity, Pres. Johnson told 2,400 delegates to the White House conference on civil rights.

He warned segregationists of both races that America is a single nation and that if its diverse people "are to build just and fruitful lives for themselves and their children . . . they must do it together."

Johnson, in an unscheduled appearance at a dinner meeting of the conference, assured the delegates that he was not asking "that righteous anger be silenced" or "that harmony be purchased at the price of individual freedom."

The President stressed, however,

(Continued on Page 12)

For Jobs

By David L. Perlman

An action program to bridge the gap between America's promise and performance in overcoming centuries of racial injustice was laid before 2,400 delegates summoned by Pres. Johnson to a White House civil rights conference.

Delegates were also urged, in a message from AFL-CIO Pres. George Meany, to keep in mind the overriding importance of a full employment economy to make equal opportunity meaningful.

The program drawn up by conference leaders called for bold new steps at every level of government and by private groups to:

- Create immediate job opportunities for Negroes at all levels of skill, coupled with stepped-up training for better jobs.
- Provide "quality education for all" equal to that now available to "the fortunate few," while reducing racial concentrations in schools through "color-conscious" planning.
- **Provide adequate open housing for low and moderate income families and, in the process, break down the ghetto walls of inner cities and the exclusion barriers of the suburbs.**
- Assure equality in justice and law enforcement, protect Negroes seeking to exercise new-won rights in the South, and strive to defuse the powder-keg relations between police and Negro communities.

The action program was drafted by a 30-member leadership council, headed by Ben W. Heineman, chairman of the Chicago & North Western Railway. AFL-CIO Vice Pres. A. Philip Randolph, dean of civil rights leaders, served as honorary chairman and delivered the welcoming speech to the conference.

Vice Pres. Hubert H. Humphrey

(Continued on Page 12)

5 Negroes Win County Nominations In Alabama Primary Run-Off Votes

Five Negro candidates won Democratic nomination for county offices in Alabama's party run-off primary May 31, but voting was light and apathetic generally. Eight Negro candidates for nomination to the state legislature were defeated, including some in districts where the Negro population heavily outnumbers white residents.

The massive "bloc" voting appealed for by both white segregationists and civil rights leaders did not materialize. In Macon County, where there are 23,000 Negroes to slightly more than 4,000 white residents. Lucius D. Amerson, a Negro Korean War veteran, won nomination for sheriff by a margin of only 3,497 to 3,113. Three other Negro candidates also won nomination by narrow margins for such offices as tax collector and Board of Revenue member.

In Perry County, Isom Atkinson defeated a white opponent for nomination for a seat on the county commission.

Federal observers watched the polls in six counties but the balloting was orderly as well as light. Run-off primaries for three statewide offices and three congressional seats proved insufficient to attract voters in large numbers.

In North Carolina primaries on May 29 all incumbent House members, including veteran Rep. Harold D. Cooley, chairman of the House Agriculture Committee, were renominated easily in Democratic races. So was Sen. B. Everett Jordan.

Two run-off primaries are scheduled for June 25. In the 5th Congressional District, Democrats Nick

(Continued on Page 11)

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$6 Million Budgeted:

Clothing Workers Press Organizing

Atlantic City, N. J.—The Clothing Workers have cleared the way for a vigorous organizing campaign by doubling the organizing budget to $6 million in the coming two years, Pres. Jacob Potofsky announced at the close of the union's 25th biennial convention here.

ACWA's current organizing progress has been satisfying but "now is the time to really drive hard" in the unorganized apparel plants, mainly in the South and Southwest, Potofsky said.

Convention delegates representing 385,000 workers in the U.S., Canada and Puerto Rico pledged the union's resources to a continuing campaign of organization.

They nominated Potofsky and Sec.-Treas. Frank Rosenblum for additional two-year terms without opposition and approved a constitutional change raising their salaries from $25,000 to $30,000 a year. Both have held their present posts since 1946.

Board Enlarged

The delegates voted to expand the executive board from 23 seats to 25 and nominated 21 incumbent vice presidents and 33 additional candidates. Balloting will be by mail, with the names only of those accepting nomination on the referendum ballot.

The convention approved strong policy statements on apparel imports, foreign affairs, consumer legislation, civil rights and other issues.

It also called for establishment of a national Dept. of Consumer Affairs and passage by Congress of improved minimum wage and consumer protection laws.

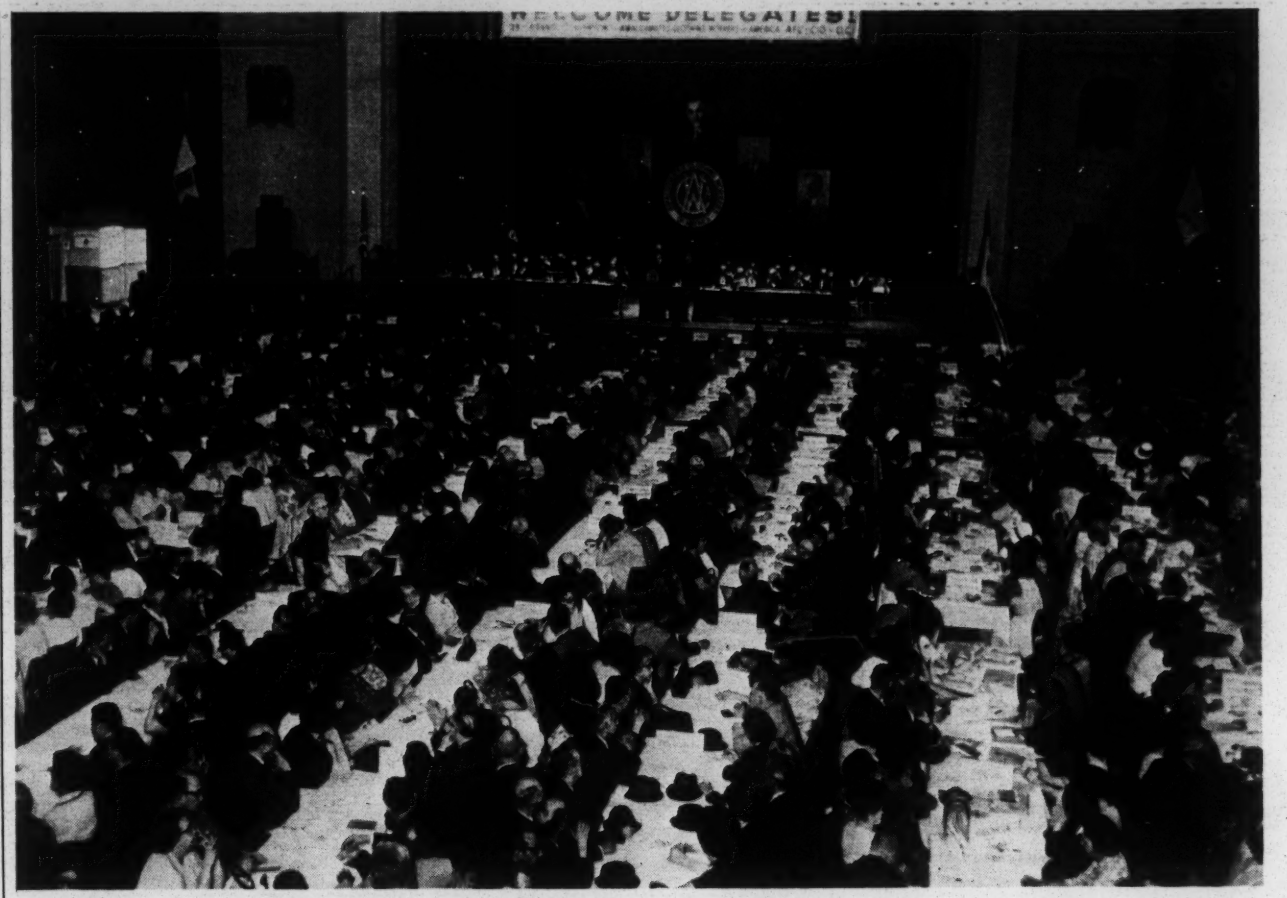
Vice Pres. Hubert H. Humphrey, in a major address to the delegates, called for a national drive against "slumism," which he described as poverty, illiteracy, discrimination and hatred—"not just broken-down buildings" but "poverty of the person" and the spirit.

The war against slums and deprivation is "a war in which all of us must enlist" because "we have the resources and capacity to abolish the scourge of slumism—we must have the will," Humphrey said.

NAACP Executive Dir. Roy Wilkins praised organized labor for its support of civil rights for all and said he is confident labor will "continue in the path its more enlightened units, such as the ACWA, have charted and followed."

Assistant Labor Sec. Esther Peterson, who is also special assistant to the President for consumer affairs, called for technical assistance by the government to help industries meet higher labor standards, protection for consumers such as the truth-in-lending and truth-in-packaging bills, and strengthening of the rights of women workers.

Pres.-elect Louis Stulberg of the Ladies' Garment Workers brought delegates a message of friendship from ILGWU Pres. David Dubinsky and saluted the ACWA for its pioneering achievements in the field of cooperative housing. The two unions have helped achieve a better life for



THE CLOTHING WORKERS' 25th biennial convention approved a $6 million budget for an expanded organizing drive in the next two years. More than 1,500 delegates attended general sessions.

IUE Recruits Job Trainees In 12 Cities

Members of the Electrical, Radio & Machine Workers will conduct a house-to-house drive in 12 key cities to recruit 1,500 disadvantaged persons for on-the-job training programs in the electrical manufacturing industry.

Under a $156,000 Labor Dept. contract, the IUE will seek out unemployed and underemployed persons for training and assist them during the training period, Labor Sec. W. Willard Wirtz announced.

The cities selected for the first

Stronger Labor Role Urged in Health Field

Sharply stepped-up labor involvement in the organization of community health services will be necessary under the new medicare amendments to the Social Security Act, participants in the first AFL-CIO conference on health care agreed.

Conferees from a dozen unions, and from medical schools, the federal government and labor education departments of six universities agreed that all hospital and health manpower resources will be under severe strain when the medicare amendments become effective July 1.

Reporting on the conference theme, After Medicare, What?

sity of California at Los Angeles; Dr. S. J. Axelrod, University of Michigan School of Public Health and spokesmen for the Group Health Association of America, Inc., the Machinists and the Community Health Foundation.

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Vice Pres. Hubert H. Humphrey, in a major address to the

TWU Vote Backs Officer Changes

New York—Members of the Transport Workers voted by an 8-1 margin in a national referendum for constitutional changes involving union officers. The changes confirm the appointment of Sec.-Treas. Douglas L. MacMahon and Executive Vice Pres. James F. Horst.

MacMahon and Horst were named by the executive council after the death of former Pres. Michael J. Quill Jan. 28. Quill was succeeded by Matthew Guinan, who had been secretary-treasurer and executive vice president.

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Pres.-elect Louis Stulberg of the Ladies' Garment Workers brought delegates a message of friendship from ILGWU Pres. David Dubinsky and saluted the ACWA for its pioneering achievements in the field of cooperative housing. The two unions have helped achieve a better life for members but one continuing problem remains—that of achieving sufficient earnings, Stulberg said.

Boss Glove Boycott Backed by AFL-CIO

The AFL-CIO pledged its "full cooperation" with the Clothing Workers' expanded consumer boycott campaign against Boss Manufacturing Co. voted at the union's 25th biennial convention.

Federation Pres. George Meany told ACWA that major unions with members in large plants will be contacted to guard against purchase of Boss gloves and to support the boycott.

Job Trainees In 12 Cities

Members of the Electrical, Radio & Machine Workers will conduct a house-to-house drive in 12 key cities to recruit 1,500 disadvantaged persons for on-the-job training programs in the electrical manufacturing industry.

Under a $156,000 Labor Dept. contract, the IUE will seek out unemployed and underemployed persons for training and assist them during the training period. Labor Sec. W. Willard Wirtz announced.

The cities selected for the first recruiting drive are Pittsburgh, Philadelphia, New York, Cleveland, Cincinnati, Chicago, Milwaukee, St. Louis, Indianapolis, Boston, Newark, N.J., and Springfield, Mass.

IUE Pres. Paul Jennings signed the Manpower Development & Training Act contract with Manpower Administrator Stanley H. Ruttenberg and assigned IUE Civil Rights Dir. William S. Gary to the drive.

Ruttenberg said the IUE is the first union to launch an on-the-job training program on a wide scale with a "buddy" system to aid the disadvantaged.

Stronger Labor Role Urged in Health Field

Sharply stepped-up labor involvement in the organization of community health services will be necessary under the new medicare amendments to the Social Security Act, participants in the first AFL-CIO conference on health care agreed.

Conferees from a dozen unions, and from medical schools, the federal government and labor education departments of six universities agreed that all hospital and health manpower resources will be under severe strain when the medicare amendments become effective July 1.

Reporting on the conference theme—After Medicare, What?—the delegates agreed that labor central bodies, city and state, should take the initiative in developing comprehensive care programs on a community and multi-union basis. Cited as one example on the city level was the program of the Cleveland, O., AFL-CIO and other community groups.

Unions have a long history of leadership in advancing health services in this country and have been "the single most powerful influence in the improvement of health benefits," Dr. Carruth J. Wagner, chief of the bureau of medical services of the U. S. Public Health Service, told the conference.

The close cooperation of labor, education, the health professions and government will be needed to meet the need for many more health workers—records personnel, nurses' aides, and other paramedical staff members, Dr. Wagner said.

Dr. William Kissick of the Office of the U. S. Surgeon General said the public has come to recognize that "every American should be entitled to the best possible medical care without regard to economic status." This will require the involvement of labor as the "largest organized body of consumers of medical care," Dr. Kissick reported.

Other speakers included Dir. Lawrence Rogin of the AFL-CIO Dept. of Education; Assistant Dir. Richard E. Shoemaker of the Dept. of Social Security; Frank Emig of AFL-CIO Community Service Activities; Malcolm Evans, Auto Workers; Ted Ellsworth, University of California at Los Angeles; Dr. S. J. Axelrod, University of Michigan School of Public Health and spokesmen for the Group Health Association of America, Inc., the Machinists and the Community Health Foundation.

Five Negroes Win Run-Offs In Alabama

(Continued from Page 1)

Galifianakis and Smith Bagley ran first and second in a four-candidate race but Galifianakis, a state representative, fell short of an absolute majority. The seat is being vacated by Democratic incumbent Rep. Ralph J. Scott.

Republicans have a run-off primary scheduled in the 10th Congressional District between W. Hall Young and Donald W. Wirick to pick a nominee to challenge Democratic incumbent Rep. Basil V. Whitener in November.

Otherwise, politically, a replay of a 1964 battle shaped up in Tennessee when Gov. Frank G. Clement said he would challenge incumbent Sen. Ross Bass for Democratic nomination to a full six-year term. Bass defeated Clement two years ago in a contest to fill the remainder of the unexpired term of the late Sen. Estes Kefauver.

Republicans also have a primary battle set for the Senate nomination. Howard H. Baker, Jr., beaten by Bass in the general election in 1964, is seeking the GOP nomination again. His opponent is Kenneth L. Roberts, state campaign manager two years ago for Republican presidential candidate Barry Goldwater.

Clement in his 1964 campaign criticized Bass for having supported civil rights legislation although the governor has since then sought to mend relations with the state's Negro voters. He has indicated that this year he will assail Bass' "support" of repeal of Section 14(b).

Two filibusters by Sen. Everett McKinley Dirksen (R-Ill.) prevented the Senate from ever actually having a vote on repeal, but Bass voted three times for cloture to shut off the filibusters.

Extra Year Delay in $1.60 Pay Base Priced at $2 Billion in Lost Wages

(Continued from Page 1)

ment was on the floor and the New Mexico congressman had just finished a speech urging the delay on the ground that a jump from $1.40 to $1.60 one year later would be too abrupt and would "overheat" the economy.

The committee bill, which Morris sought to amend, was itself a carefully fashioned compromise—the result of an agreement by labor, the Administration and the ranking members of the House Labor Committee. Powell himself, on March 10, announced before television cameras a final "meeting of the minds" on the timing of the increase.

As Morris finished his speech, Powell asked him whether he would "accept an amendment to his amendment" which would delay the second-step increase for two years instead of three years.

With alacrity, Morris agreed, declaring:

"I would personally rather have the 36 months, but if the gentleman from New York and the committee feel they can compromise on 24 months, I would certainly yield to their great wisdom and judgment."

Powell absolved the committee from the deal, replying:

"I am doing this unilaterally and not on behalf of the committee. We have not discussed it at all."

Any Sponsors?

After this exchange, Morris inquired whether anyone was offering the two-year stretch-out amendment Powell had suggested.

Powell replied that he was not "personally" offering such an amendment, "just engaging in colloquy" to find out if such an amendment would be agreeable to Morris.

A few minutes later, Rep. William H. Ayres, an Ohio Republican, formally offered the amendment, declaring that he was "very happy that the chairman of the full committee," referring to Powell, "has agreed to accept it."

The floor manager of the bill, Rep. John H. Dent (D-Pa.), made it clear that he wasn't accepting any such amendment and the issue went to two votes.

The first test was a non-record vote while the House was meeting as a Committee of the Whole. With a number of members absent, the teller count was 160 for the Ayres amendment, 121 opposed.

As observers noted and newspaper stories reported, Powell did not vote either way on that test.

Later, on the rollcall which hammered the amendment into the bill, Powell voted against the stretch-out amendment he had suggested—thus ending up with a "right" vote on the AFL-CIO scoreboard.

The rollcall for the Ayres amendment was a close 205-194—a switch of only six votes would have reversed the outcome.

The narrow margin appears to bear out the contention of legislative analysts that the more drastic three-year wage stretch-out could certainly have been defeated.

White House Conference:

Rights Parley Keyed To Action Program

(Continued from Page 1)

sounded the keynote, declaring the 20 million Negro Americans "will no longer be pacified by slogans or tokens . . . nor should they."

The program presented to the conference, Humphrey readily conceded, would appear startlingly "radical" to many. But, he asked, "What are the alternatives?"

Fulfilling the legitimate expectations of the civil rights revolution, Humphrey said, "will be America's most urgent domestic task for many years to come."

Meany's message called for passage of the pending civil rights bill and urged "a far faster pace" of school desegregation aided by "a special multi-billion dollar federal school fund."

Above all, he said, "there must be jobs at good wages for all who can work. There must be an adequate system of income maintenance for those who cannot."

Dialogue Begins

In a dozen workshops, the delegates began the dialogue—seeking to break down broad generalities into specific actions they can undertake in their home communities and programs they can present to their organizations.

Joining in the two days of discussions was a cross-section of concerned America—Negro and white, college deans and slum dwellers, union officials and corporation presidents, civil rights militants and moderate white southerners, clergymen of all faiths and ranks. Labor's contingent of about 100 came from large and small unions and from state and city central bodies.

It was an audience wrenched in the heart by Randolph's account of "the destructive and devastating impact of the ghetto" and his warning that: "Every day's delay in breaking down the barriers of segregation in housing, schools and discrimination in jobs means irreparable damage to hundreds of thousands of human beings."

The solution, he said, can't wait until people "are educated out of their prejudices" or "until everyone loves his neighbor."

Negroes, he stressed, are not asking for "love" but for "their rights as citizens and human beings."

The conference marked a new step in the move towards self-isolation from the mainstream of the civil rights movement by the Student Non-Violent Coordinating Committee, which boycotted the conference even though one of its spokesmen had served as a member of the leadership council.

Resolutions Allowed

A controversy over conference rules was apparently averted by a compromise which permitted introduction and voting on resolutions in the final sessions of the 12 workshops.

The council had originally barred formal resolutions on the ground that the limited time of the conference and its broad scope made it impractical to devote hours to parliamentary maneuverings.

The no resolution policy was

Factory Hiring Down for April

LATIN AMERICAN UNITY among nations as well as among workers is vital to the material welfare of all, Felipe Herrera, president of the Inter-American Development Bank, tells the 13th graduating class of the American Institute for Free Labor Development. Others who took part in the ceremonies are, from left, AFL-CIO Sec.-Treas. William F. Schnitzler, AIFLD Board Chairman J. Peter Grace, AIFLD Administrator William C. Doherty and, at right, Deputy U.S. Coordinator for Alliance for Progress David Bronheim.

USWA Canned Milk Aids Viet Children

Five hundred cases of canned chocolate milk are en route to Viet Nam—a gift of the Steelworkers to children attending schools organized by the Vietnamese Federation of Labor.

Steelworkers Pres. I. W. Abel wrote Pres. Tran Quoc Buu of the Vietnamese federation that the milk is a "token of solidarity" from USWA local unions throughout the nation. He said the union is also furnishing through CARE 800 school kits along with quantities of sewing, physical education, needle trade and classroom supply kits for distribution by Viet Nam unions.

Free Labor Institute Graduates 13th Class

The American Institute for Free Labor Development is educating 20,000 Latin American workers and union leaders yearly, the graduating class of the 13th training program was told in ceremonies at AFL-CIO headquarters.

The 19 newest graduates of the four-year-old school now return to eight Latin American nations to extend further the teachings of trade unionism "tailored to the needs of the workers and their country," AIFLD Administrator William C. Doherty, Jr. declared.

The students, who completed the first program of advanced training for trade union educators, were urged by AFL-CIO Pres. George Meany to "work not for themselves alone, not for their members alone but for their entire society as a whole" upon their return home

for a democracy with bread, peace and freedom."

The graduates also were addressed by the president of the Inter-American Development Bank, Felipe Herrera, and Rev. Benjamin L. Masse, associate editor of America magazine.

The students represented unions in Argentina, Bolivia, Colombia, Chile, Ecuador, Peru and Venezuela.

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The council had originally barred formal resolutions on the ground that the limited time of the conference and its broad scope made it impractical to devote hours to parliamentary maneuverings.

The no resolution policy was sharply attacked by spokesmen for the Congress of Racial Equality and the council, after determining that a substantial number of delegates favored some form of voting, adopted the workshop resolution policy on the eve of the conference.

Workshop sessions were still in progress as the AFL-CIO News went to press and the conference was scheduled to wind up with a final dinner meeting. A summary of the views expressed at workshops, as well as resolutions adopted, was to be presented to Pres. Johnson.

Factory Hiring Down for April

The factory hiring rate declined nearly 10 percent in April—from 52 to 47 per 1,000 workers, the Bureau of Labor Statistics of the Labor Dept. reported. This was accompanied by slight fall-offs in the seasonally adjusted layoff and quit rates.

The decline in hirings resulted, BLS said, from a reduction in new hires. But the April figures may represent only a temporary drop since both the accession and new hire rates had reached high levels in March, according to the report.

Clean Elections Bill Proposed by Johnson

Pres. Johnson sent a proposed "clean elections" bill to Congress, in line with a pledge in his State of the Union message last January, intended to change radically the traditional methods of financing political campaigns.

Principal features of the Administration measure are designed, the President said, to eliminate the "evasion" and "circumvention" invited by existing laws covering political contributions and to encourage wider public participation in the financing of campaigns to reduce "undue influence of large contributors."

The wider public participation would be encouraged by allowing citizens a maximum of a $100 tax deduction for political contributions —federal, state or local.

The "evasion" of existing election expenditure laws would be attacked by eliminating technical "ceilings" of $3 million for a national committee during presidential years while there is no limit on the proliferation of committees that may raise funds and spend them in behalf of a candidate.

The Administration bill is marked by several features that represent, in part at least, departures from previous "clean elections" proposals considered by Congress for more than a decade:

- It seeks to put teeth into the theoretical maximum of $5,000 in contributions from any person for any candidate by requiring that all contributions—to committee, candidate's treasurer or any other group —be counted in the total.
- The maximum $100 tax deduction for political contributions would be allowed any taxpayer whether he itemizes deductions on his federal income tax return or takes the "standard deduction" of 10 percent.

The AFL-CIO has urged an actual tax credit—a reduction from the tax owed—for political contributions rather than a mere deduction from taxable income.

- The Administration bill would apply to primary elections as well as to general elections.
- It would recognize tax deductibility for contributions to political committees working for a candidate as well as contributions to formal party organizations.

the Steelworkers to children attending schools organized by the Vietnamese Federation of Labor.

Steelworkers Pres. I. W. Abel wrote Pres. Tran Quoc Buu of the Vietnamese federation that the milk is a "token of solidarity" from USWA local unions throughout the nation. He said the union is also furnishing through CARE 800 school kits along with quantities of sewing, physical education, needle trade and classroom supply kits for distribution by Viet Nam unions.

LBJ Pledges No Turnback On Rights

(Continued from Page 1)

his conviction that "we shall either move this nation toward civil peace and social justice for all of its citizens, or for none."

He added: "We shall either find the means to open employment to all our workers, to find decent housing for all our families, to provide a good education for all our children, or we shall see the American promise spoiled for each of them."

There is no "sanctuary" for anyone, Johnson affirmed, "from the effects of widespread poverty and discrimination."

In tackling the problems of jobs, education and housing—"the tap roots of poverty"—mistakes have been made and "we will make others," the President said. "We will arouse hopes as we have already done, that cannot be quickly fulfilled. But," he stressed, "we are moving. We shall not turn back."

Johnson took note of the diversity of views expressed at the conference, telling the delegates: "Your President may not agree with everything you do, but he will consider everything you say."

4 Douglas Plants Go to Auto Union

A representation election in four Tennessee plants of the Douglas Aircraft Corp., conducted by the National Labor Relations Board, resulted in a 115-35 victory for the Auto Workers.

The plants are in Sparta, Monterey, Cookeville and Carthage, and turn out components for military and space purposes. Present employment totals 158 persons, with plans for expansion to 3,000.

20,000 Latin American workers and union leaders yearly, the graduating class of the 13th training program was told in ceremonies at AFL-CIO headquarters.

The 19 newest graduates of the four-year-old school now return to eight Latin American nations to extend further the teachings of trade unionism "tailored to the needs of the workers and their country," AIFLD Administrator William C. Doherty, Jr. declared.

The students, who completed the first program of advanced training for trade union educators, were urged by AFL-CIO Pres. George Meany to "work not for themselves alone, not for their members alone but for their entire society as a whole" upon their return home.

Meany told the students that the path their unions took in achieving these ends was of their own choosing, though U. S. unions admittedly have a selfish interest in the AIFLD.

"It is in the interest of American labor that free unions exist all over the Western Hemisphere," he said. "Where workers are not free, soon all social institutions are not free."

Preceding his remarks, Meany read a message from Pres. Johnson who saluted the "conscientious students" for their eagerness and knowledge which will "open new vistas of hemispheric progress and achievement."

David Bronheim, deputy coordinator for the Alliance for Progress told the graduates that they "return to the hemisphere on the march."

"Your job is to lift the heads of those who have been unable to lift their own," he said.

Joint Program

The AIFLD is an international program by the AFL-CIO in conjunction with business and government to develop democratic trade unions and encourage free collective bargaining in Latin America. The program also includes projects for worker-owned housing and "impact projects" ranging from disaster aid to playgrounds.

AIFLD's educational impact on Latin America was noted by Doherty, who pointed out that during the last three years, the institute had established in-resident training centers in 20 different countries. Workers who attend these centers return to their unions in the outlying villages and provinces to put their new knowledge into practice.

The program in Washington is primarily aimed at advanced training for union specialists.

Speaking for the graduating students, Angel Sandoval Esponoza of Peru declared their hopes were "now fortified by the armor of newly-gained ideas and knowledge" to help in their "struggle for a democracy with bread, peace and freedom."

The graduates also were addressed by the president of the Inter-American Development Bank Felipe Herrera, and Rev. Benjamin L. Masse, associate editor of America magazine.

The students represented unions in Argentina, Bolivia, Colombia, Chile, Ecuador, Peru and Venezuela.

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Court Upholds New Districts In Maryland

The State of Maryland became one of the last to learn what its congressional districts will be for this year's election when the Supreme Court upheld a lower court decree dividing the state into eight districts substantially equal in population.

The Maryland General Assembly failed in both 1965 and 1966 to devise a congressional districting plan that met the "one man, one vote" standards laid down by the high court.

A 1965 redistricting bill passed by the state legislature was suspended when it was petitioned to popular referendum and later held unconstitutional by a three-judge special federal court.

A 1966 special session summoned to devise a new plan collapsed in bickering and adjourned without action. The federal court then issued its own redistricting decree and prohibited any referendum on the legislature's 1965 plan.

The Supreme Court upheld the lower court in a summary order rejecting last-ditch protests without discussing them.

Convening in Baltimore, the 5,000-member Negro American Labor Council stressed cooperation with the AFL-CIO.

LABOR

EU – Coalition

Negro unionists try a new tack

Instead of focusing solely on remaining discrimination in unions, the Negro American Labor Council is now working toward broader cooperation with AFL-CIO on legislative and job aims

Father and son—Horace Sheffield, head of NALC's Detroit unit, and his boy—watch convention proceedings. Detroit is among largest, most militant chapters.

When the Negro American Labor Council held its founding convention in Detroit in 1960, a casual visitor might have concluded that it saw unions as its major enemy. Didn't unions condone segregated locals, separate seniority lists for white and Negro, and the Negro's lot at the bottom of the job heap, fire-breathing speakers asked.

But at last week's Baltimore convention, it was obvious that NALC had mellowed. There was praise for the AFL-CIO's support of civil rights legislation and efforts to desegregate member unions. And there was strong support for an alliance between the Negro and labor, not only as a logical way to improve the lot of both white and Negro workers, but—in the words of retiring President A. Philip Randolph—as the core

of a "coalition of conscience" to serve wide humanitarian aims.

Such an alliance, it was argued, also made sense politically—for instance, as a means to exchange the help of Negro organizations in defeating right-to-work laws for labor help in achieving Negro job breakthroughs.

It was a theme that the major guest speaker, United Steelworkers President I. W. Abel, found congenial. Abel told an NALC rally: "Organized labor has had its revolution, with the assistance and active support of the American Negro. Now, the American Negro is in the throes of his revolution, and he has organized labor as an active partner."

Togetherness, however, apparently stopped short of the building trades unions.

Building bias. If building trades employers and union leaders can't end bias in apprenticeship programs ("And how can they when they're committed to it historically?" one delegate asked), then control of the programs should be taken out of their hands, the convention agreed. Either the Labor Dept. or the U. S. Employment Service would do the job better, several delegates suggested—a proposal that is certain to arouse violent

Grand old man of civil rights and labor movement, A. Philip Randolph, listens to his successor, Cleveland Robinson, before retiring as NALC president.

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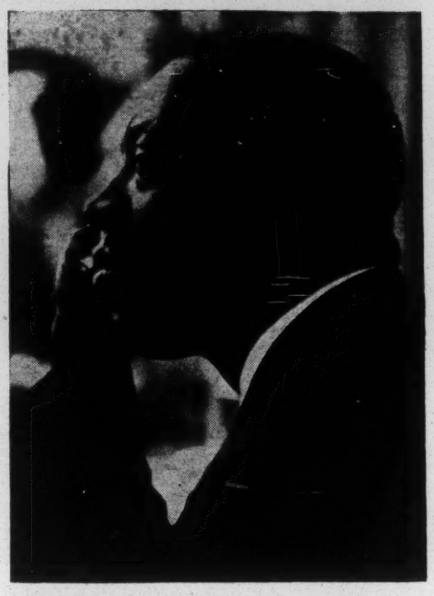
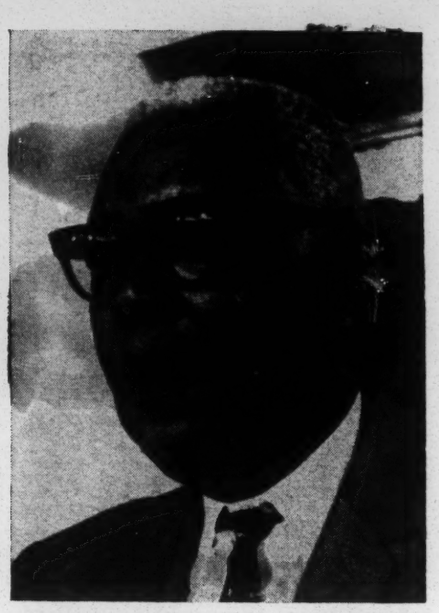


NALC head, Robinson, is with Retail, Wholesale & Department Store Union.



Defeated candidate was Frank Evans of Allied Industrial Workers.

opposition among the building trades.

But the NALC was careful not to include all of organized labor in its criticism of apprenticeship programs and other alleged remnants of discriminatory practices.

"We don't like it when someone puts down all Negroes because of something a few did. We're not going to pick on the entire labor movement because a few unions are slow to change," a delegate said.

New priority. In part, this deliberately fair-minded approach sprang from recognition of the AFL-CIO's real accomplishments in enforcing integration on member unions during the past six years. Delegates referred to the "turnaround" in AFL-CIO President George Meany's attitude ("He was always against bias, but he used to put other things first. Now it gets priority"). Some even explained their attacks against discrimination in specific unions in terms of strengthening Meany's hand to move against those unions.

But in addition, the nature of its membership almost forces the NALC to be a cooperating organization rather than an antagonistic one. The majority of its active members—an estimated 5,000—are officials or paid staff members of AFL-CIO unions.

As president of the Brotherhood of Sleeping Car Porters—and an elder statesman of both labor and the civil rights movement—Randolph presumably does not feel fettered by his union connections. His successor as NALC president, Vice-President Cleveland Robinson of the Retail, Wholesale & Department Store Union (who defeated Frank Evans of the Allied Industrial Workers), presumably also occupies a post lofty enough to give him substantial freedom.

Nature of cooperation. But the typical NALC activist might find it awkward for his career to become known as "that guy who's always knocking unions." His job qualifies him as an informed internal critic of the labor movement. But that same job—plus the union loyalties that led him to it in the first place—incline him toward the positive rather than the negative view, toward mutual interests rather than conflicting ones.

As a result, some Negro and labor leaders question the NALC's usefulness. They call it a paper organization.

Others say this misses the point. They regard the combination of pressure and support as potentially the NALC's unique contribution to Negro-labor relations.

For the short term, the NALC emphasized two aims at its convention: (1) cooperation with the AFL-CIO both in organizing and in waging the political fight for minimum wage, housing, health, and other legislative reforms, (2) pressure for more and better job training.

In the latter field, the NALC's local units were urged to take the initiative in sponsoring training projects under various Great Society programs.

Several such projects were reported in the works. One, in Cleveland, involves a joint effort with the United Steelworkers and the Grabler Mfg. Co., with the Labor Dept. financing the planning. **End**

Senate Action Urged: Coalition

Cut in Rights Funds Assailed as 'Tragic'

The AFL-CIO urged the Senate to restore a deep cut made by the House in the civil rights enforcement budget of the Dept. of Health, Education & Welfare.

Legislative Dir. Andrew J. Biemiller said the $927,000 budget cut—a reduction of more than 20 percent—would be "a tragic mistake."

He told members of the Senate Appropriations subcommittee handling the bill that the cut would greatly hamper enforcement of non-discrimination policies in schools, hospitals and other federally-aided programs. There is already, he warned, "too much paper compliance" based on "a perfunctory examination of forms and too little on-the-spot checking."

Biemiller stressed that "full and honest compliance" with non-discrimination in federally-assisted programs "is essential to avoid outbreaks of frustration and anger by those who continue to suffer the burden of discrimination. "It should have the support of Congress," he added.

The House cut was a prime target of resolutions passed at the recent White House Conference on civil rights. Delegates described it as "a particularly disquieting example of the tendency to weaken enforcement" of civil rights laws "by failing to provide enough funds." The conference resolution

Biemiller noted that the $927,000 cut would mean eliminating 70 full-time civil rights compliance positions in the department and would greatly curtail studies of the "complex and difficult" problems of school segregation in the North.

On another legislative front, a House Judiciary subcommittee approved four of the five sections of the administration's civil rights bill, but left it up to the full committee to decide on the issue of housing discrimination.

Sections approved are aimed at barring discrimination in selection of juries, speeding desegregation of schools and public facilities, and strengthening federal laws against racial violence.

The proposed ban on housing discrimination has run into heavy Republican opposition and has been attacked by Senate GOP Leader Everett McKinley Dirksen (Ill).

Civil rights groups are pressing for early action by the House committee to overcome two obstacles ahead—a likely House Rules Committee bottleneck which would require use of the "21-day rule" to get the bill to the House floor in August, and the threat of a filibuster when the bill reaches the Senate.

Carolina Labor News 6/24/66 Cont

NOBODY Tells YOU How To VOTE

The labor movement does not attempt to tell its members how to vote. The decision is made individually—by each member of a Union—in the privacy of the booth. This "Voter's Guide is simply a service to trade union members." We offer this list of endorsements as a guide so you can be thoroughly familiar with the candidates for key state and local offices.

The real and final test of democracy is at the ballot box. Therefore, be sure you cast your ballot Saturday, June 25, 1966.

Remember: Your right to vote is a right. It is also a duty. We urge you to vote on Saturday, June 25.

This column carries a complete list of the endorsements of the Durham Central Labor Union which is composed of all the AFL-CIO Unions in Durham. Endorsements were not made lightly. Voting records, statements by the candidates and the candidates background were carefully researched, developed and evaluated prior to endorsement by the delegates. The screening committee, with delegates representing the tobacco workers, communicatioons workers, retail clerks, meat cutters and machinists spent several hours of four nights interviewing candidates before finally making its recommendations. The screening committees recommendations to the meeting of the Durham Central Labor Union were unanimous and the delegates to the meeting attended by most unions in Durham was also passed unanimously.

LET'S LOOK AT THE RECORD:

SMITH BAGLEY—Born 31 years ago in Connecticut, he is the millionaire grandson of the anti-labor tobacco multi-millionaire R. J. Reynolds Sr. Bagley has never in his life had to worry about a mortgage payment, automobile payment, family doctor bills and has not the slightest idea of the problems of the people of the Fifth District. Bagley has absolutely NO EXPERIENCE in governmental affairs at any level. His only qualification appears to be that through exploitation of tobacco workers in the Reynolds plant that he thinks he has enough money to buy himself a seat in Congress. We are confident that the voters will repudiate this blatant attempt to buy a congressional seat. Just look at the amount of posters, billboards, newspaper ads and radio and TV adverisements, Bagley has bought.

NICK GALIFIANAKIS—An experienced state legislator who has a record of supporting progressive legislation. He introduced and fought hard to raise the state income tax exemptions for all workers dependents from $300 to $600 each and he supported the dollar minimum wage and other programs to help workers and farmers.

In the field of education, Galifianakis has worked and voted for better schools and higher pay for teachers. Contrary to smear reports he has always voted for the highest minimum wage law introduced in the Legislature.

ENDORSEMENTS FOR YOUR CONSIDERATION

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FOR SHERIFF: J. BRUCE LAWSON
FOR DISTRICT JUDGE: M. HUGH THOMPSON

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Carolina Labor News 6/24/60

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Two Things Brighten Political Outlook

Two developments of recent years exert a big influence toward making government more favorable to the working man. These are:

- The Supreme Court decisions which have forced reapportionment of state legislatures on the basis of equal population in each district.

- The Voters Rights Act of 1965 which is bringing about the registration of hundreds of thousands of Negroes, members of other minorities, and poor people.

Reapportionment of legislatures already has resulted in improvement of laws in some states. The results will be even more noticeable in the future.

The influence of newly-registered Negro voters is limited in extent thus far, but beginning with 1968 elections it is likely to mean some new and better faces in the national Congress.

Reapportionment of legislatures has already meant a shift of the majority vote from low-population rural areas to cities in some states. Additional states will be affected in 1966 elections.

The number of state legislators coming from the suburbs, as well as from the cities, is increased as the number from farms is decreased. Some suburban legislators will be anti-labor, but on balance they and the typically pro-labor city legislators will pass state laws more to the liking of working people than did rural-dominated legislatures.

The shift of political power to urban areas will affect all politics and will tend to cause election of more liberal congressmen, senators and governors.

Sen. Everett Dirksen (R.-Ill.) tried to turn legislative reapportionment around. He proposed a constitutional amendment which would permit each state to district one of its houses by measurements other than equal population. This needed a two-thirds vote to carry and fell seven votes short in the U.S. Senate. That's the third time the Senate had turned it down.

The influence of Negro voters in several southern states will not be limited to the issue of civil rights. The congressmen elected with the aid of heavy Negro votes generally will be more pro-labor and more liberal on issues of education and welfare.

Back in New Deal days, most southern congressmen were liberal on economic issues — they championed "the poor man" — although anti-civil rights and often anti-labor. Congressman "Cheap Juice John" Rankin of Mississippi, for example, was a major force in building the TVA.

In the 1940s most of these congressmen turned reaction-

privately, that the new Negro vote will not cause a dramatic change in 1966. Results of the Alabama primary bear this out. But, by 1968 more Negroes will be registered, they will have themselves better organized, more suitable candidates will have come to the fore. Civil Rights leaders confidently expect substantial results that year.

More pro-labor legislatures in states with a heavy Negro vote can mean better labor laws, better workmen's comp and unemployment comp, better safety laws and many other measures of benefit to white-skinned as well as dark-skinned working people.

If more liberal congressmen are elected from only a dozen southern districts in 1968, due to the new Negro vote, it can mean the difference between win and loss for some items of national legislation.

Labor's Man for Governor

John W. Hooker, Jr., candidate for governor of Tennessee, who has been endorsed by the AFL-CIO Tennessee State Labor Council, is pictured at right above with, from left, Pres. K. R. Gibson of a Memphis, Tenn., local of the International Chemical Workers, OCAW Intl. Reps. Hugh Owen and Paul Palmer and Pres. Joe Alsup of OCAW Memphis Local 3-94.

Schultz Heads District Six

Fred A. Schultz of St. Paul, Minn., Local 6-715, was elected president of the Dist. 6 Council at the council meeting April 16-17 in Cloquet, Minn.

Others elected were Vice Pres. James Sturdevant, Ft. Dodge, Iowa, Local 6-503; Sec.-Treas. Anthony Buss, Hastings, Minn., Local 6-418; executive board members Joe Tucker, St. Paul local 6-75; Ralph Wheaton, Ft. Dodge Local 6-502; Duane Smith, Hastings Local 6-717, Henry C. Miller, Cumberland,

Be Sure You Give Hairy-Chested Answers on Personality Test!

(Or, Vice Versa if You're a Woman)

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Support Boycott

The AFL-CIO Executive Council has called for full support of a nationwide boycott of products of the Di Giorgio company, largest grape grower in the Delano, Calif., valley. The boycott was called by the National Farm Workers Association because Di Giorgio has not recognized the NFWA and armed guards have attacked grape strikers.

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In the 1940s most of these congressmen turned reactionary on most all issues. In recent years, few southern congressmen have voted pro-labor or liberal on any legislation.

That will change with the increase in Negro vote in their districts. The change already is noticeable in a few districts where Negroes got the right to vote before the Voters Rights Act was passed. Soon Negroes will have the balance of power in a number of districts and the result will almost automatically tend to be more liberal public officials.

Civil rights leaders concede,

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Be Sure You Give Hairy-Chested Answers on Personality Test!

(Or, Vice Versa if You're a Woman)

To get a good management job and hold it today a man has to be a "strong, boorish, vigorous, hairy, hardboiled character with no cultural inclinations."

This is the warning advanced in a new book, "How to Beat Personality Tests," by Charles Alex. The book, which is becoming a surreptitious best-seller among management people, is a comprehensive manual for job-seekers on what to say and what not to say and what-to-admit and what-not-to-admit on company personality tests. (Incidentally, 100,000,000 of these tests are given in the U.S. each year.)

Here's one personality test trick on which Author Alex gives advice. Frequently the tests will ask the male applicant to draw a man and a woman. This is designed to discover whether the jobseeker has any sexual maladjustment. The trick is that the applicant must draw his own sex first or lose points for masculinity. Moreover, his male figure must be fully-clothed but the woman must be nude "to represent a good clean-cut American girl."

If the woman is well-endowed "the applicant will get good marks for wholesome heterosexuality." If the applicant admits that he is religious or says a daily prayer, this is wrong, according to Alex's book, "because he would be revealing an excessive and dangerous degree of religiosity which could cause a conscience-conflict in making a ruthless decision."

If the job-seeker is a woman she must be careful to give exactly opposite answers to those required of the men, Alex warns, "because firms do not generally like mannish women."

The payoff warning on how to lie to beat the personality test has to do with culture. Says Author Alex: "Don't ever tell a prospective employer that you could spend an evening alone reading Shakespeare. This would put you out of the running for a job right away, because it would indicate an unhealthy interest in esthetics which is definitely a feminine trait!"

OCAW Leaders Boost California Governor

Sec.-Treas. Al Chandler of Long Beach, Calif., Local 1-128, second from left above, introduced California Governor Pat Brown, center, when the governor spoke to some 200 Los Angeles area labor leaders recently at Wilmington, Calif. Brown, running for re-election, lashed out at extremists of both the left and right and asked for the continued support of organized labor. Left to right in the picture are Rep. Odell Clayton of Local 1-128, Chandler, Gov. Brown, OCAW Dist. 1, Dir. William J. Forrester and Sec.-Treas. George Froom of South Bay Local 1-547.

LBJ Names Beirne

President Joseph A. Beirne of the Communications Workers, a vice president of the AFL-CIO and chairman of its Community Services Committee, has been named by President Johnson to a two-year term on the President's Committee on Mental Retardation.

For Milk Program

National AFL-CIO is supporting a U.S. Senate proposal which would provide a special $335 million, three-year milk program for school children.

Automation Strikes Again

What are we going to do with all the people?

For some time we have had a few service stations where customers can serve themselves by dropping coins in the gas pump. Now the pumps are going to take credit cards.

Oilgram, daily industry newsletter, says the system has already been started in Sweden by Sevenska Esso, and the publication "hears" that several oil companies will install such pumps.

The publication reports a special type of punched credit cards are used which turn on the pumps; gasoline sales data are automatically registered on punch tape, which is used by Esso's computers for billing.